



Notice is given that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 23 February 2021

Time: 3pm

**Location: Kooyoora Room
Wedderburn Council Office**

AGENDA

Ordinary Council Meeting

23 February 2021

Order Of Business

1	OPENING AFFIRMATION	5
2	ACKNOWLEDGEMENT OF COUNTRY	5
3	APOLOGIES	5
4	DECLARATIONS OF CONFLICT OF INTEREST	5
5	PREVIOUS MINUTES	6
5.1	CONFIRMATION OF MINUTES.....	6
6	ASSEMBLY OF COUNCILLORS	7
6.1	RECORD OF ASSEMBLY OF COUNCILLORS	7
7	REVIEW OF ACTION SHEET	11
7.1	REVIEW OF ACTIONS	11
8	MAYORAL REPORT	17
8.1	MAYORAL REPORT.....	17
9	COUNCILLORS' REPORT	18
9.1	COUNCILLORS' REPORTS	18
10	DECISION REPORTS	21
10.1	PLANNING PERMIT APPLICATION 5542 - 58 FANTASY ROAD BRIDGEWATER	21
10.2	PLANNING PERMIT APPLICATION 5622 - 67 BROOKE STREET INGLEWOOD.....	49
10.3	ADDITIONAL PROJECTS FOR ANNUAL INFRASTRUCTURE PROGRAM.....	68
10.4	REQUEST TO ACCESS UNALLOCATED COMMUNITY PLANNING FUNDING.....	73
10.5	RECOGNITION OF COMMUNITY PLANNING COMMITTEES.....	75
10.6	FINANCE REPORT FOR THE PERIOD ENDING 31 JANUARY 2021.....	77
10.7	COMMUNITY SUPPORT POLICY	96
10.8	VERSION 2 OF THE COMMUNITY ENGAGEMENT POLICY PROPOSED FOR ADOPTION.....	101
10.9	VERSION 5 OF COUNCILLOR CODE OF CONDUCT PROPOSED FOR ADOPTION	114
10.10	PROPOSED CORPORATE CREDIT AND FUEL CARD POLICY VERSION 5 FOR ADOPTION.....	145
10.11	REQUEST TO ACCESS FUNDS HELD IN THE LITTLE LAKE BOORT WATER RESERVE	151
10.12	DONALDSON PARK COMMUNITY HUB REDEVELOPMENT FUNDING APPLICATION	153
11	INFORMATION REPORTS	155
11.1	QUARTERLY LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT	155
11.2	QUARTERLY REPORT: ANNUAL INFRASTRUCTURE PROGRAM 2020- 2021 AND OTHER PROJECTS	160

11.3	ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT	171
12	COMPLIANCE REPORTS.....	174
12.1	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - EAST LODDON COMMUNITY CENTRE	174
12.2	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - WEDDERBURN MECHANICS AND LITERARY INSTITUTE HALL	176
12.3	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - HARD HILL TOURIST RESERVE	178
12.4	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - PYRAMID HILL MEMORIAL HALL.....	180
12.5	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - INGLEWOOD COMMUNITY SPORTS CENTRE	182
12.6	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - INGLEWOOD TOWN HALL HUB.....	184
12.7	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - LITTLE LAKE BOORT.....	186
12.8	SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - JONES EUCALYPTUS DISTILLERY SITE	188
13	GENERAL BUSINESS	190
14	CONFIDENTIAL ITEMS	191
14.1	REVIEW OF CONFIDENTIAL ACTIONS	191
14.2	PROPOSAL FOR SALE OF COUNCIL PROPERTY, 12 - 14 ALLEN STREET KORONG VALE	191
14.3	CONTRACT 491 - BAILEYS ROAD BRIDGE REPLACEMENT	191

This page is intentionally blank.

OPENING COMMENT

THIS MEETING IS BEING CONDUCTED IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 2020 AS TEMPORARILY AMENDED TO ENABLE MEETING BY ELECTRONIC MEANS OF COMMUNICATION.

THIS MEETING IS BEING RECORDED AND AUDIO STREAMED VIA THE COUNCIL WEBSITE AND FACEBOOK.

1 OPENING AFFIRMATION

"WE, THE COUNCILLORS OF THE LODDON SHIRE, DECLARE THAT WE WILL CARRY OUT OUR DUTIES IN THE BEST INTERESTS OF THE COMMUNITY, AND THROUGH COLLECTIVE LEADERSHIP WILL MAINTAIN THE HIGHEST STANDARDS OF GOOD GOVERNANCE."

2 ACKNOWLEDGEMENT OF COUNTRY

"The Loddon Shire Council acknowledges the Traditional Custodians of the land on which we are gathered and pays its respects to their Elders both past and present."

3 APOLOGIES

4 DECLARATIONS OF CONFLICT OF INTEREST

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES**

File Number: 02/01/001

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council confirm:

1. The minutes of the Council Briefing of 27 January 2021.
2. The minutes of the Ordinary Council Meeting of 27 January 2021.
3. The minutes of the Confidential Council Meeting of 27 January 2021.
4. The minutes of the Council Forum of 9 February 2021.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

6 ASSEMBLY OF COUNCILLORS**6.1 RECORD OF ASSEMBLY OF COUNCILLORS**

File Number: 02/01/001

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 27 January 2021.
2. Council Forum 9 February 2021.

In accordance with Clause 51 of Council's Governance Rules, records of Councillor briefings and forums must be reported to the next Ordinary Meeting of Council and confirmed in the minutes.

The record is therefore presented for Council's noting.

RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	27 January 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Christine Coombes, A/Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services
Items discussed.	<ol style="list-style-type: none"> 1. Six monthly report against the Council Plan 2. Council Financial Plan 3. Councillor Bus Tour 4. General business: <ul style="list-style-type: none"> • Korong Vale kerb and channel repair • Pyramid Hill Historical Society Mural Funding • Request to Coliban Water regarding infrastructure upgrades • Letter of appreciation for Ron Vinnicombe • Bears Lagoon Piggery • MAV elections
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	9 February 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services Sarah Perry, A/Manager Community Support Audit and Risk Committee members VicPol Goldfields representatives
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism monthly progress report 2. Update on the implementation of the Local Government Act 2020 3. Section 181 sales update – sale of properties for unpaid rates and charges 4. Revenue and Rating Plan – major revenue and rating principles discussion 5. Mayoral Vehicle Policy 6. Risk Management Induction and Strategic Direction 7. Update on The Loddon Project – Spotlight on Community Vision 8. Donaldson Park Community Hub redevelopment project – formal request to apply for funding 9. VICPOL - Goldfields 10. Update on Community Recovery activities 11. Community Support Policy – Inclusion of Insurance costs 12. Councillor Code of Conduct public comment 13. Community Engagement Policy public comment 14. Proposed V5 Corporate Credit Card Policy 15. General business: <ul style="list-style-type: none"> • Illegal rubbish dumping • Mitchell Park, Pyramid Hill • CEO’s performance review • Availability of draft documents to community • Boort sporting precinct plan
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil

Councillor/officer left room	
---------------------------------	--

7 REVIEW OF ACTION SHEET**7.1 REVIEW OF ACTIONS**

File Number: 02/01/002

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet February 2021

RECOMMENDATION

That Council receive and note the action sheet.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

REPORT

Refer attachment.

<p>Outstanding</p> <p>Action Sheets Report</p>	<p>Division: Committee: Council Officer:</p>	<p>Date From: Date To:</p> <p>Printed: Tuesday, 16 February 2021 10:01:23 AM</p>
--	---	---

Outstanding action from previous meetings

Meeting	Officer/Director	Section	Subject
Council 28/01/2020	Phillips, Steven Pinyon, Phil	New Item	Skidders Flat reservoir
<p>Cr Holt requested that Council staff continue to liaise with Grampians Wimmera Mallee Water regarding changes to the originally proposed arrangements for the supply of permanent recreation water to Skidders Flat, and provide a report to the next Council meeting about progress with finalising the heads of agreement between Council and GWM Water.</p> <p><i>14/02/2020 5:26:20 PM - Steven Phillips</i> Council Staff have been in discussions with GWMWater staff about the terms contained within the Heads of Agreement for several months, with a major sticking point being the allocation of Recreational Water for Skidders Flat Reservoir. GWMWater is seeking that Council acquire a water entitlement up to the maximum volume as listed at Item 5 of Schedule A of the Heads Of Agreement (currently stated as 200 MI) from Northern Victoria trading zone 1A (Goulburn regulated). Council Officers have been able to secure agreement from GWMWater for the allocation of up to 200 MI of Recreational Water once off as an initial allowance. Arrangements are being made to secure a meeting between senior members of Council and GWMWater to continue negotiations over this matter.</p> <p><i>13/03/2020 5:21:57 PM - Steven Phillips</i> The Southwest Loddon Pipeline Steering Committee has a meeting scheduled for Friday 20 March. GWMWater are continuing discussion with Coliban Water to further investigate opportunities for the provision of an ongoing water supply for Skidders Flat Reservoir.</p> <p><i>14/04/2020 5:22:52 PM - Steven Phillips</i> Discussions have been undertaken and an agreement has been reached to honor the provision of recreational water to Skidders Flat.</p> <p><i>11/05/2020 8:42:39 PM - Steven Phillips</i> According to GWMWater staff, a definitive solution to the 200 megalitre problem remains to be found. Discussions are ongoing with GWMWater Staff.</p> <p><i>11/06/2020 2:25:54 PM - Steven Phillips</i> This matter was discussed at the June 2020 Council Forum noting that the supply of water to Skidders Flat is still an outstanding issue. Cr Beattie undertook to contact the Chairman of the Board of GWMWater to discuss how to progress the matter.</p> <p><i>20/07/2020 1:48:05 PM - Steven Phillips</i> A meeting between Cr Holt, Cr Beattie, Phil Pinyon CEO Loddon Shire Council and Peter Vogel Chairman of the Board of GWMWater and Mark Williams Managing Director GWMWater was held on 22 June 2020 in Beaufort. Following this meeting Cr Holt, Cr Beattie, Phil Pinyon CEO Loddon Shire Council were to meet with Damian Wells Managing Director of Coliban Water to discuss possible solutions to this matter. This meeting has not been able to take place due to COVID-19 restrictions.</p> <p><i>10/08/2020 11:44:55 AM - Steven Phillips</i> Progress has been significantly hampered due to the current COVID – 19 restrictions and the desire for a face to face meeting with Coliban Water. Once restrictions allow, a face to face meeting with Coliban Water will be arranged.</p> <p><i>1/09/2020 6:05:17 PM - Steven Phillips</i> This matter is scheduled on the September Council Forum agenda for discussion. The timing and circumstances for a meeting with Coliban Water remains a critical issue. It is important that Council is able to engage with them in a meaningful way about potential solutions that they may be able to assist with.</p> <p><i>1/10/2020 6:17:27 PM - Steven Phillips</i> Following the discussion at the September Council Forum contact has been made with GHD for them to provide Council with a fee proposal to investigate the required works associated with actively maintaining the water level at Skidders Flat. The meeting with Coliban Water has not yet been scheduled.</p> <p><i>9/11/2020 1:02:42 PM - Steven Phillips</i></p>			

<p>Outstanding</p> <p>Action Sheets Report</p>	<p>Division: Council</p> <p>Committee:</p> <p>Officer:</p>	<p>Date From:</p> <p>Date To:</p> <p>Printed: Tuesday, 16 February 2021 10:01:23 AM</p>
---	---	--

GHD came back with a proposal to complete the Intermediate Inspection Report in October/November as it is due for review next year. This will provide them with sufficient information to report to Council with recommendations based on the findings. They have also been engaged to attend a Council Forum to discuss the report and its recommendations.

The meeting with Coliban Water remains on hold to discuss opportunities to partner with Council on the provision of recreational water for Skinners Flat Reservoir.

7/12/2020 9:17:27 AM - Steven Phillips

The Skinners Flat Reservoir Intermediate Dam Safety Inspection has been completed by GHD and its author will be attending the December Council Briefing for discussion on the matter.

The meeting with Coliban Water to discuss opportunities to partner with Council on the provision of recreational water for Skinners Flat Reservoir remains on hold.

11/01/2021 6:22:55 PM - Steven Phillips

The Intermediate Dam Safety Inspection report was presented to Council by GHD at its December Forum. That report recommended further assessment of the impacts of flooding to the dam and spillway. Work on the further assessments necessary are being arranged so that a more complete picture can be utilised to establish cost estimates of the required works to ensure that the dam and spillway are safe and suitable for managing water levels of the Reservoir. Council officers will report back to Council once a cost estimate is established for the required works to support the safe use of the Reservoir.

A meeting with Coliban Water executives has been arranged for early February 2021 to explore opportunities for Coliban and Council to partner on the provision of recreational water for Skinner Flat Reservoir. Council representatives attending this meeting will include Cr Mayor Beattie and Cr Holt as well senior Council Staff.

12/02/2021 11:22:31 AM - Steven Phillips

On Friday 5 February Cr Mayor Beattie and Cr Holt and senior Council Staff met with Damian Wells CEO and Steve Healy Executive General Manager Climate and Population Adaption from Coliban Water to discuss opportunities to work together on the provision of recreational water to Skinners Flat. The meeting was productive with both parties committing to continue to work together on finding a solution. Coliban Water is going to investigate and provide a few options for a commercial leasing arrangement for Council to consider.

Work is continuing on scoping the required works to the dam and spillway. It will take some time for the required information to be obtained and assessed. GHD have been engaged and should be able to provide Council with advice and cost estimates within the next 5 months.

<p>Outstanding</p> <p>Action Sheets Report</p>	<p>Division: Committee: Officer:</p> <p>Council</p>	<p>Date From: Date To:</p> <p>Printed: Tuesday, 16 February 2021 10:01:23 AM</p>
--	--	---

Actions completed since last meeting

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Morrison, Sharon Morrison, Sharon	Decision Reports	Proposed version 6 Councillor Expenses and Support Policy
<p>RESOLUTION 2021/6</p> <p>Moved: Cr Wendy Murphy Seconded: Cr Linda Jungwirth</p> <p>That Council adopt version 6 of the Councillor Expenses and Support Policy.</p> <p style="text-align: right;">CARRIED</p> <p><i>9/02/2021 11:11:03 PM - Sharon Morrison</i> Action completed by: Morrison, Sharon Policy sent for finalising and publishing to internet.</p>			

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Morrison, Sharon Morrison, Sharon	Decision Reports	Proposed Complaints against Councillors Policy version 2
<p>RESOLUTION 2021/7</p> <p>Moved: Cr Linda Jungwirth Seconded: Cr Wendy Murphy</p> <p>That Council adopt version 2 of the Complaints against Councillors Policy, with the amendment to 3.2, upon receipt of a complaint against a Councillor, with the words, "by a member of the public" to be inserted.</p> <p style="text-align: right;">CARRIED</p> <p><i>9/02/2021 10:50:21 PM - Sharon Morrison</i> Action completed by: Morrison, Sharon Published on internet</p>			

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Morrison, Sharon Morrison, Sharon	Decision Reports	Proposed version 5 of Councillor Code of Conduct
<p>RESOLUTION 2021/8</p> <p>Moved: Cr Dan Straub</p>			

Outstanding	Division: Committee: Officer:	Council	Date From: Date To:
Action Sheets Report			Printed: Tuesday, 16 February 2021 10:01:23 AM

Seconded: Cr Gavan Holt

That the draft of version 5 of the Councillor Code of Conduct be advertised for public comment for a period of 14 days.

CARRIED

5/02/2021 5:06:58 PM - Sharon Morrison
Action completed by: Morrison, Sharon
Code was advertised for public comment.

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Morrison, Sharon Morrison, Sharon	Decision Reports	Community Engagement Policy
RESOLUTION 2021/9			
Moved: Cr Wendy Murphy			
Seconded: Cr Gavan Holt			
That the draft Community Engagement Policy be advertised for a public comment for a period of 14 days.			
CARRIED			
<i>5/02/2021 5:07:11 PM - Sharon Morrison</i> Action completed by: Morrison, Sharon Policy was advertised for public comment.			

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Caserta, Deanne Morrison, Sharon	Decision Reports	Finance Report for the period ending 31 December 2020
RESOLUTION 2021/10			
Moved: Cr Gavan Holt			
Seconded: Cr Dan Straub			
That Council:			
<ol style="list-style-type: none"> 1. receives and notes the 'Finance Report for the period ending 31 December 2020' 2. approves budget revisions included in the report for internal reporting purposes only 3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 financial year, as returned by the Shire 			

Outstanding	Division: Committee: Council Officer:	Date From: Date To:
Action Sheets Report		Printed: Tuesday, 16 February 2021 10:01:23 AM

Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CARRIED

1/02/2021 1:35:34 PM - Deanne Caserta
Action completed by: Caserta, Deanne
For information

Meeting	Officer/Director	Section	Subject
Council 27/01/2021	Phillips, Steven Pinyon, Phil	New Item	SIGNAGE AT INGLEWOOD SPORTS CENTRE
Cr Wendy Murphy requested that signage be installed at the Inglewood Recreation Reserve to guide the public to the location of the new public toilet facilities.			
<i>16/02/2021 9:56:19 AM - Steven Phillips</i> Action completed by: Phillips, Steven Council officers have investigated the site and an additional sign has been ordered. It will be fixed to the side of the building at the toilet end facing the internal access road.			

8 MAYORAL REPORT**8.1 MAYORAL REPORT**

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr Beattie**Rail Freight Alliance****Loddon Campaspe Councils****Murray River Group of Councils****Special Committees Of Council (Section 65 Community Asset Committees):**

Boort Aerodrome Community Asset Committee
 Boort Memorial Hall Community Asset Committee
 Boort Park Community Asset Committee
 Korong Vale Mechanics Hall Community Asset Committee
 Korong Vale Sports Centre Community Asset Committee
 Little Lake Boort Community Asset Committee
 Yando Public Hall Community Asset Committee

DATE**Activity**

9 COUNCILLORS' REPORT**9.1 COUNCILLORS' REPORTS**

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Holt

Municipal Association of Victoria	
Audit and Risk Committee	
Special Committees Of Council (Section 65 Community Asset Committees): Donaldson Park Community Asset Committee Wedderburn Community Centre Community Asset Committee Wedderburn Engine Park and Market Square Reserve Community Asset Committee Wedderburn Mechanics and Literary Institute Hall Community Asset Committee Hard Hill Reserve Community Asset Committee	
Other Council activities	
DATE	Activity

Cr Jungwirth

Loddon Mallee Local Government Waste Forum	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Plan Committee	
Other Council activities	
DATE	Activity

Cr Murphy

Calder Highway Improvement Committee
Local Government Womens Charter
Australia Day Committee
Healthy Minds Network
Special Committees Of Council (Section 65 Community Asset Committees):
Bridgewater on Loddon Memorial Hall Community Asset Committee
Campbells Forest Hall Community Asset Committee
Inglewood Community Sports Centre Community Asset Committee
Inglewood Community Elderly Persons Units Community Asset Committee
Inglewood Town Hall Hub Community Asset Committee
Jones Eucalyptus Distillery Site Community Asset Committee

Other Council activities	
DATE	Activity

Cr Straub

North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
Special Committees Of Council (Section 65 Community Asset Committees):	
East Loddon Community Centre Community Asset Committee	
Pyramid Hill Memorial Hall Community Asset Committee	
Pyramid Hill Swimming Pool Kiosk Community Asset Committee	
Other Council activities	
DATE	Activity

10 DECISION REPORTS**10.1 PLANNING PERMIT APPLICATION 5542 - 58 FANTASY ROAD BRIDGEWATER**

File Number: 31000600
Author: Carolyn Stephenson, Statutory / Strategic Planner
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Decision Report 5542

RECOMMENDATION

That Council resolve to issue a Notice of Decision to grant a planning permit for the use and development of land for a dwelling, development of the site for an aircraft hangar, use of land for industry (aircraft maintenance), works in the Land Subject to Inundation Overlay and creation of access to a road in a Road Zone Category 1 in accordance with the endorsed plans at 58 Fantasy Road, Bridgewater, subject to the conditions set out in the attached decision report.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

This proposal has not been previously considered by Council.

BACKGROUND

The application seeks planning approval to use and develop the land for a dwelling, aircraft hangar and aircraft maintenance business.

The subject site is located at 58 Fantasy Road, Bridgewater and is zoned Farming with a small section of Land Subject to Inundation Overlay. The subject property is currently used for agriculture and as an airstrip.

ISSUES/DISCUSSION

Under the *Planning and Environment Act, 1987* ('the Act') the Minister for Planning delegates a municipal council power to become the planning authority for any planning scheme in force in its municipal district.

A municipal council is obligated to enforce and administer the relevant planning scheme and must use the scheme to determine applications.

For Council, the Loddon Planning Scheme is the relevant Planning Scheme which must be applied by Council when determining applications.

Council has delegated authority to its Planning Officer to determine outcomes of applications, however it is Council's practice to make the final determination for applications which:

- receive one or more public objections
- and/or
- are to be recommended for refusal by the Planning Officer.

This application received two objections. A detailed decision report is included in Attachment 1 outlining the Planning officer's assessment and considerations in determining the recommendation to Council. The two objections along with a response from the applicant are included in that report.

COST/BENEFITS

There are various costs associated with having a delegated Planning Officer consider an application and make a recommendation as well as with the time of the Councillors to consider this recommendation.

The benefits associated with this cost are the ability for Council to fulfil its requirement under law and provide the community with a statutory service that delivers well-managed and appropriate development.

The cost of inappropriate land use and development includes loss of amenity, inefficient use of infrastructure and environmental impacts. The benefit of appropriate land use and development is aesthetically appropriate development, land use that is compatible with land capability, sustainable infrastructure provision and enhancement of environmental values.

RISK ANALYSIS

The risks of Council not fulfilling its statutory obligation under the Act include:

- Inappropriate development which could endanger life and property.
- Council's reputation as a responsible authority.
- Breaches of the *Planning and Environment Act, 1987* requiring compliance action.

CONSULTATION AND ENGAGEMENT

Please refer to the decision report for further detail on the application including copies of the objections lodged and the applicant's response to the objections.

LODDON SHIRE COUNCIL

DECISION REPORT 5542: The use and development of land for a dwelling, development of the site for an aircraft hangar, use of land for industry (aircraft maintenance) and creation of access to a road in a Road Zone Category 1



CONTENTS

1 RECOMMENDATION..... 4

2 DISCUSSION 6

2.1 Site & location..... 6

2.2 Site history..... 8

2.3 Proposal 8

2.4 Loddon Planning Scheme..... 10

 2.4.1 Zone 10

 2.4.2 Overlay 10

 2.4.3 Particular provision..... 11

 2.4.4 Restrictive covenant..... 11

 2.4.5 Planning Policy Framework..... 11

2.5 Referrals..... 12

2.6 Public notification..... 13

3 ASSESSMENT 13

 3.1.1 Planner assessment..... 13

4 CONCLUSION 16

APPENDIX 1: Development Plans..... 17

APPENDIX 2: Objections 20

APPENDIX 3 Response to Objectors..... 23

SUMMARY

Application Number:	5542
Applicant:	Spiire
Subject Land:	58 Fantasy Road, Bridgewater
Owner:	
Zone:	Farming Zone
Overlay(s):	Land Subject to Inundation Overlay
Existing use:	Airstrip and Agriculture
Proposal:	The use and development of land for a dwelling, development of the site for an aircraft hangar, use of land for industry (aircraft maintenance) and creation of access to a road in a Road Zone Category 1

1 RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the use and development of land for a dwelling, development of the site for an aircraft hangar, use of land for industry (aircraft maintenance), works in the Land Subject to Inundation Overlay and creation of access to a road in a Road Zone Category 1 in accordance with the endorsed plans at 58 Fantasy Road Bridgewater subject to the following conditions.

Expiry

1. This permit will expire if one of the following circumstances applies:
 - the development is not started within two years of the date of this permit
 - the development is not completed within four years of the date of this permit
 - the uses are not started within two years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Amended plans required

2. Before the use and development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified as follows:
 - a) the site plan showing the location of the proposed dwelling on the land within a building envelope with dimensions and marked "dwelling building envelope";
 - b) the site plan showing the whole of the area on the land west of the dwelling building enveloped marked "dwelling exclusion zone" with dimensions; and
 - c) the site plan showing the whole of the area on the land north of the dwelling building enveloped marked "dwelling exclusion zone" with dimensions
 - d) a landscaping area of a minimum width of 15m located between the hangar and Fantasy Road
 - e) a parking area located in the vicinity of the hangar of sufficient size and dimensions to meet the requirements of Clause 52.06 of the Loddon Planning Scheme.

Layout not altered

3. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Layout not altered – use of land

4. The layout of the uses of the land shown on the endorsed plans must not be altered without the written consent of the responsible authority.
5. Prior to commencing the development of the dwelling on the land, the owner must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* to provide for the following:
 - a) that the permission granted under this planning permit for the development and use for a dwelling is only granted within the area marked "dwelling building envelope" on the endorsed plans;
 - b) the dwelling building envelope as shown on the endorsed plans cannot be relocated, or its dimensions altered without the prior written consent of the responsible authority;

- c) no other areas on the land are to be developed and/or used for a dwelling without the prior written consent of the responsible authority;
- d) no dwellings may be constructed or buildings used within the area marked on the site plan as "dwelling exclusion zone";
- e) the endorsed site plan which shows the location of the dwelling building envelope and dwelling exclusion zones must be attached the agreement; and
- f) the owner must pay the costs of the preparation, execution and the registration of the Section 173 agreement on the title of the land.

General amenity provision

- 6. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of vermin.

Landscaping

- 7. An area must be set aside and planted to form an effective visual screen between the hangar and Fantasy Road. The landscaping must be planted prior to the commencement of the use of the land for industry.
- 8. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.

Hours of operation of the aircraft maintenance business

- 9. The use of the land for Industry (aircraft maintenance) may operate only between the hours of 7am to 7pm Monday to Friday.
- 10. Deliveries to and from the site must only take place between 7am and 7pm Monday to Friday.

Noise

- 11. Noise levels emanating from the land must comply with the requirements of the Environment Protection Authority's Publication 1411: Noise from industry in regional Victoria.

Fuels, oils and chemicals

- 12. Fuels, oils and chemical storage must be in accordance with Liquid storage and handling guidelines, EPA, June 2018.

Waste storage

- 13. Provision must be made on the land for the storage and collection of waste associated with the aircraft maintenance business. This area must be enclosed and screened from public view. Waste management must be in accordance with EPA Guideline IWRG642 Motor vehicle repair and service premises.

Loading/unloading

- 14. The loading and unloading of goods from vehicles must only be carried out on the land.

Cladding of hangar

15. The exterior colour of the hangar must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the hangar including the roof must be of a non-reflective nature.

Stormwater

16. All stormwater must be conveyed by means of drains to satisfactory points or areas of discharge approved by the Responsible Authority, so that it will have no detrimental effect on the environment or adjoining property owners.

Access

17. Access to the dwelling and hangar must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
18. Traffic associated with the avionics maintenance business must only access the property via Bridgewater Maldon Road to Fantasy Road and not directly from the Calder Highway to Fantasy Road.

Parking

19. Areas set aside for the parking of vehicles together with the aisles and drives must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority. The parking area must be established prior to the commencement of the use of the land for Industry.

Water and wastewater

20. The waste water from the dwelling and the hangar must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
21. The dwelling and hangar must be connected to a potable water supply with adequate storage for domestic use as well as for firefighting purposes.

Department of Transport

22. Vehicular access to the subject land from the arterial road must be via a single point of access and all other vehicular access gates must be closed.
23. Prior to the commencement of the use the following proposed crossover works must be completed to the satisfaction of and at no cost to the Department of Transport (Head, Transport for Victoria):
 - a) The proposed crossover must be in accordance with standard drawing GD4010 and the set-out of the crossover must be in accordance with the passenger vehicle.
 - b) The seal of the crossover must be a minimum distance of 6 metres from the edge line of the arterial road.
 - c) All other existing redundant access gates must be closed, and all associated crossover infrastructure removed, and the roadside area reinstated.
24. The crossover and driveway providing access to the arterial road must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

2 DISCUSSION

2.1 Site & location

The subject site is located at 58 Fantasy Road, Bridgewater and has a total area of approximately 96ha. The site is cleared land and is used for agriculture and an airstrip.

An existing use right has been established for use of the land as an airstrip. Pursuant to Clause 63.05 of the Loddon Planning Scheme, this existing use can continue provided the amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right. Information submitted by the landowner has indicated that the airstrip is used 2-3 times per week by the landowner, flying schools, emergency services and private owners for training, pleasure and private use.

Although airstrip is not a defined land use in the planning scheme, numerous VCAT decisions have referred to the term airstrip and it is considered to apply to grass, rural landing facilities that are used on a limited basis. Airport is an identified land use in the planning scheme, although it does not include a definition. Airport is included within the land use term of Transport terminal, which is defined as land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. This subject site is not considered to be used as an Airport.

There is a cluster of buildings on the northern boundary of the site that was associated with the former skydiving use and development. There are no current valid planning approvals for these buildings.

The site has access via the Bridgewater Maldon Road, a sealed main road, and Fantasy Road, a local all-weather road.

Subject site:



Land to the north and west of the subject site is used and developed for intensive agriculture (poultry farms). Land to the south and east are used for broadacre agriculture. The site is approximately 1.5km south of Bridgewater Township.

Subject site broadview:



2.2 Site history

The site is used as a small rural airstrip and currently enjoys the benefit of an existing use right. It was originally developed by the land owner of the time for his personal use.

In 1990, the site was sold and a planning permit was issued (pp3191) for the use and development of the land for a parachute training centre. Further approvals were issued for accommodation options on the land to be used in conjunction with the parachute training centre. The parachute training centre permit is considered to have expired as the use permitted by it has been ceased for more than two years. The accommodation permits have expired as the developments were not completed.

A shed has recently been constructed on the site. No planning permit was required as it was indicated by the landholder that its use was as a farm shed. This shed is at the location of the proposed aircraft hangar included within this permit application.

2.3 Proposal

The applicant seeks approval for:

- the use and development of land for a dwelling
- development of the site for an aircraft hangar
- use of land for industry (aircraft maintenance)
- works in the Land Subject to Inundation Overlay
- creation of access to a road in a Road Zone Category 1.

Site plan:



The single storey dwelling and associated outbuilding is proposed to be constructed on the southern part of the property, some 490 metres from Bridgewater – Maldon Road and 166 meters from the southern boundary. The proposed single storey detached dwelling will encompass a total area of 250.4 square metres including verandah areas. The dwelling will comprise of a bathroom, ensuite, laundry, living area, kitchen, dining and three bedrooms. The proposed dwelling will be constructed of brick veneer with colorbond roofing. The proposed colorbond shed will measure 108 square metres and will be positioned to the south of the proposed dwelling.

The aircraft hangar is located along the site's northern boundary and set back 25.2 metres from Fantasy Road. The hangar will measure (30 metres x 30 metres) encompassing a total area of 900 square metres. The building will have an overall maximum height of 9.34 metres (to the top of ridge) and will be construct of dualclad (or similar) and finished in an off-white colour. Large sliding doors will be incorporated along the buildings eastern elevation. The hangar building will include three offices, a store room, lunchroom and bathroom.

The proposed avionics business will involve general maintenance on aircrafts and will be conducted within the hangar. Maintenance will be undertaken on all types of aircrafts ranging from very small ultralights and rotorcraft, up to and including turbine commuter aircraft. The types of planes able to land at the airfield is subject to CASA regulations. It has been proposed that only the land owners (i.e. 2 employees) will undertake maintenance work from the site. The business hours proposed are typically 7am-6pm Monday to Friday. It is however noted that during the fire season it is common for maintenance to be undertaken on fire spotter planes during the evening so that the crew can fight fires during the day. The applicant has requested some flexibility in the hours of operation to accommodate maintenance on planes during the fire danger period. The customers range from small private owners, to flying schools, charter operators and Government contractors.

Page 9 of 26

Access to the proposed dwelling will be provided via a new crossover from Bridgewater – Maldon Road. A new driveway will be formed from Bridgewater – Maldon Road and will extend along the southern boundary to service the dwelling.

2.4 Loddon Planning Scheme

2.4.1 Zone

The subject site is within the Farming Zone. Clause 35.07 states that the purpose of the Farming Zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework

To provide for the use of land for agriculture

To encourage the retention of productive agricultural land

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision

To provide for the use and development of land for the specific purposes identified in a schedule to this zone

A planning permit is required to use and develop the land for a dwelling as the property is less than 100ha (Clause 35.07-1 and 35.07-4).

A planning permit is required to develop the land with an aircraft hangar as it is buildings and works associated with a Section 2 use (Clause 35.07-4).

A planning permit is required to use the land for Industry (Clause 35.07-1). The proposed aircraft maintenance business would be defined as Service industry (land used to launder, repair, service or wash articles, machinery, or vehicles), and Service industry is included within Industry.

2.4.2 Overlay

A small part of the west side of the property is subject to the Land Subject to Inundation Overlay (LSIO). A section of the access to the dwelling will be developed in the LSIO. The purpose of the LSIO is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the *Water Act, 1989* where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

A planning permit is required for works within the LSIO.

2.4.3 Particular provision

Clause 52.29 Land adjacent to a Road Zone Category 1 requires a planning permit to create an access to a Road Zone 1.

2.4.4 Restrictive covenant

There are no restrictive covenants listed on the titles included within the subject site.

2.4.5 Planning Policy Framework

The following sets out the sections of the State and Regional Planning Policy Framework that are relevant to this application.

Clause 14.01-1S Protection of agricultural land seeks to protect the state's agricultural base by preserving productive farmland.

This clause includes the following strategies to support this objective:

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.

Clause 15.01-6S Design for rural areas seeks to ensure development respects valued areas of rural character. This clause includes strategies regarding the design and siting of development in rural areas to protect landscape and character.

Clause 17.01-1S Diversified economy seeks to strengthen and diversify the economy. This clause includes the following relevant strategies to support this objective:

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

Clause 17.01-1R Diversified Economy Loddon Mallee South seeks to support the ongoing role and contribution of the region's small towns, settlements and non-urban areas through investment and diversification of their economies.

Clause 17.03-2S Sustainable Industry seeks to facilitate the sustainable operation of industry. This clause includes strategies to protect the amenity of land surrounding industry through the imposition of appropriate separation distances.

Clause 18.02-3 Road System seeks to protect the road network and make use of existing infrastructure.

The following clauses of the Local Planning Policy Framework are relevant to this application.

Clause 21.04-4 Economic development seeks to encourage and support a diverse and environmentally sustainable economy in the Shire. A strategy of this objective is to minimise dwellings in farming areas to protect agricultural land.

Clause 22.04 – Industrial development identifies that proposals for industrial development in rural areas may be supported where they can:

- demonstrate it is appropriate as the industry relates to value adding of local produce
- minimise impact on agriculture land and land management practices
- have access to and from sealed roads
- dispose of effluent satisfactorily
- avoid or minimise impacts on native vegetation
- maintain the visual qualities of the rural landscape
- minimise impact on residential amenity.

22.05 – Development in rural areas identifies that dwellings in the Farming zone will be supported where they provide for the enhanced agricultural use of the land. It also identifies that rural industry should only be located in rural areas where:

- amenity impacts of the industry make it unsuitable for an urban area
- existing road infrastructure is suitable for the traffic to be generated by the industry
- the industry will not compromise agricultural use of surrounding land
- there are clear advantages of locating the industry in the rural area that outweigh the advantages of locating it in an urban area.

2.5 Referrals

In accordance with Section 55 of the *Planning and Environment Act 1987* and Clause 66 of the *Loddon Planning Scheme*, the application was referred to the following authorities for comment:

Referral Authority	Type of Referral	Advice/ Comments/ Conditions
Department of Transport	55	No objection to the creation of the access to the Bridgewater Maldon Road subject to conditions regarding the standard of the crossover.
North Central Catchment Management	55	No objection. No conditions.

Authority (NCCMA)		
-------------------	--	--

2.6 Public notification

In accordance with Section 52 of the *Planning and Environment Act 1987*, public notice of the application was carried out in the following manner:

1. notice was sent by ordinary mail to nearby owners, who were given a period of 14 days to comment on the application
2. a sign was erected on the land for a period of 14 days
3. a notice was published in one edition of the Bendigo Advertiser.

Two objections were received.

The grounds of objection can be summarised in the following list:

- Impact of aircraft noise on the poultry on the adjoining properties
- Impact of aircraft noise on the amenity of the area (noise and air pollution)
- Construction of hangar prior to application for planning approval
- Suitability of the site for industry
- Fuel storage
- Capacity of the airstrip for the size of the aircraft
- Flight frequency, days of the week and hours of operation
- Size and scope of the business and the potential for the business to expand

3 ASSESSMENT

3.1.1 Planner assessment

Planning policy framework

The State and local planning policy framework highlight the need to protect agricultural land for agricultural purposes. The need for a diversified economy, local employment and utilisation of infrastructure is also identified.

This property is partially used for agriculture but has also been used as an airstrip for many years. The proposed business and dwelling is not considered to reduce the capacity of the land for agricultural purposes. The amount of land removed for these new activities and development on site is limited and it is considered that the cropping and grazing activity on the land can continue on the balance of the site. The dwelling is to be located with significant separation distances to surrounding agricultural land that will minimize the risk of affecting the ongoing operation of surrounding agricultural businesses (including intensive animal industry).

The proposed business utilises an existing piece of infrastructure (the airstrip) and an aircraft maintenance business is ideally located in the proximity of an airstrip.

The noise levels of the proposed business associated with mechanical repairs can be contained within the requirements set by the EPA due to work being undertaken within the hangar and a separation distance of 120m to the nearest dwelling.

The road traffic generated by the proposed business will be limited to parts and material delivery and the existing access arrangements are considered to be satisfactory.

The dwelling supports the use of the land for the business. The hangar is consistent with shedding on surrounding land and is not an inappropriate size in this farming landscape. The dwelling is to be located well setback from the road frontage of the property to minimise any impact on the landscape.

Farming Zone

Although the proposal is not related to agriculture and farming, it is not considered to compromise the ability of the existing agricultural activity on the land to continue, or the ability of agriculture to continue on surrounding land that is zoned Farming.

The purpose of the Farming zone includes "to encourage the retention of employment and population to support rural communities". It is considered that this proposal builds on an existing asset to support this purpose.

The site is a large property (96ha) with sufficient area to accommodate the proposed industry, dwelling and associated development (including effluent disposal), along with the existing airstrip and agriculture use.

The proposed aircraft maintenance business is not considered to affect the operation or expansion of surrounding agricultural uses as it will not generate significant noise or other emissions. The industry proposed is a service industry with only two staff (who will live on site) and as such activity will be limited and not generate significant traffic.

The proposed dwelling needs to be appropriately located to protect the separation distances to the adjoining poultry farms as well as ensuring suitable setback from other farming operations. The farm to the north is an egg production farm and the farm to the west is a breeder farm for the egg farm. There are no statutory buffers for egg farms (unlike broiler farms), however the Environmental Guidelines for the Australian Egg Industry recommends a minimum of 500m to a residential zone and 250m to a neighbouring house. The proposed dwelling site is 672m from the poultry sheds to the north and 667m from the sheds to the west. There are two existing dwellings closer to the poultry farm than the proposed dwelling. There are also significant setbacks from the south and east boundary to minimize any risk to adjoining agricultural activity.

The proposal will use existing all weather roads and has access to power. The proposal will not cause a measurable change to existing traffic levels. The proposal makes use of an existing airstrip.

The proposal is not expected to have any significant impact on the environment. Effluent disposal systems will be required for toilets and other wastewater at the dwelling and hangar. Both locations meet the required minimum setbacks from waterways (60m). Waste from the aircraft maintenance business must be appropriately stored and removed from site.

The location of the dwelling set well within the property will minimise any effect on the landscape. Although the hangar is a large shed, it is to be located in the vicinity of a number of other large agricultural sheds on the poultry farm and as such not considered to have a significant impact on the landscape. Muted, non-reflective cladding is proposed, along with landscaping.

Land Subject to Inundation Overlay

The works within the LSIO is approximately 100m of the driveway to the dwelling. The NCCMA have not objected to the application. It is considered that the works will not affect the direction or rate of flow of floodwater or will be affected by floodwater or pose a risk to safety.

52.29 – Creation of Access to Road Zone 1

Department of Transport have not objected and proposed conditions requiring the appropriate standard of cross over to ensure road safety and function is not affected.

Objections

Response to objections are as follows.

- Impact of aircraft noise on the poultry on the adjoining properties

The application does not relate to the use of the land for the airstrip. The airstrip can continue to operate (including use by aircraft attending the proposed business) however there can be no further impact on the amenity of the area.

- Impact of aircraft noise on the amenity of the area (noise and air pollution)

See above response.

- Construction of the hangar prior to application for planning approval

At the time of construction of the hangar, the proponent advised Council it was a farm shed. Planning approval was not required for a farm shed.

- Suitability of the site for industry

As discussed in the report, the site is considered suitable for a small scale aircraft maintenance business as proposed. Agricultural activity can be maintained on the balance of the land. Appropriate separation distances are provided to minimize amenity impacts. Access to the airstrip on the land offers a unique opportunity for this service industry business. The site is not subject to any environmental constraints.

- Fuel storage

The storage of fuel is regulated by the EPA and Worksafe. The applicant must comply with relevant regulations in relation to the storage of fuels and oils.

- Capacity of the airstrip for the size of the aircraft

The size of the aircraft using the airstrip in its current form is regulated by CASA. Size of the aircraft is also restricted by the existing use rights. The airstrip cannot be upgraded without further planning approval.

- Flight frequency, days of the week and hours of operation

As identified above, the use of the airstrip is not a part of this application and is subject to the limitations of the existing use rights. The aircraft maintenance business is proposed to operate during week days and hours that are consistent with other business in the local area.

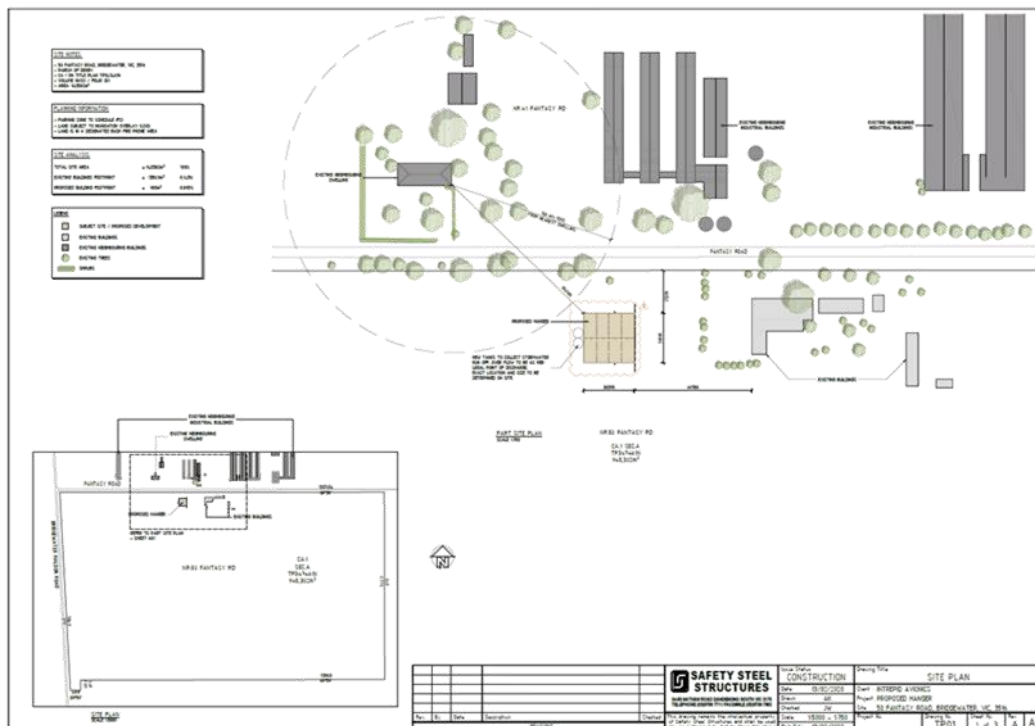
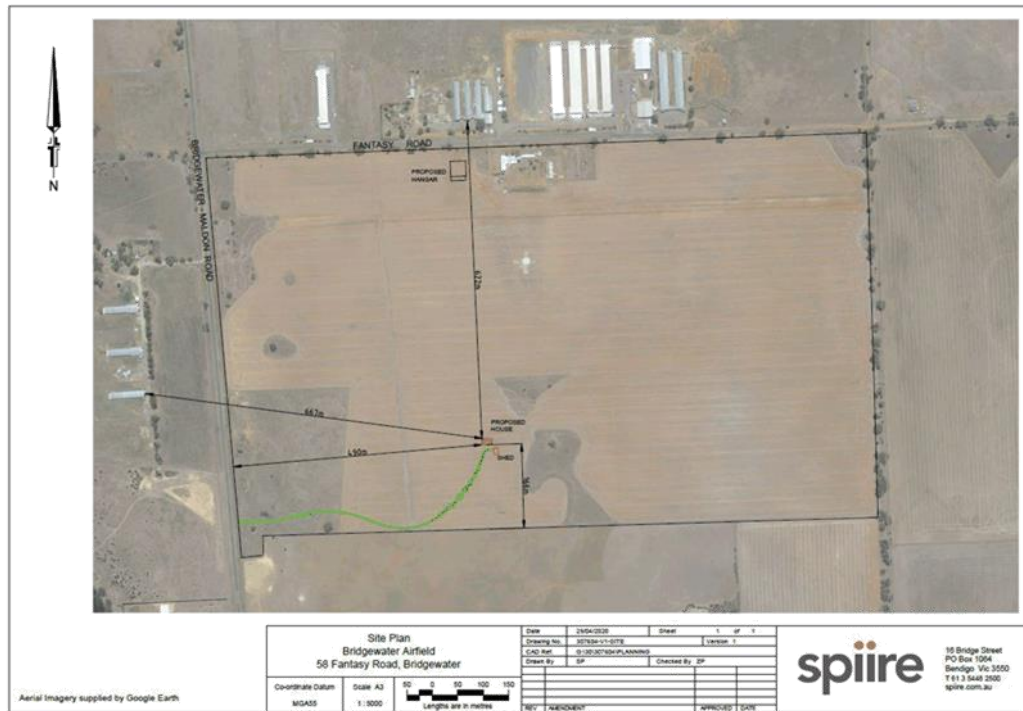
- Size and scope of the business and the potential for the business to expand

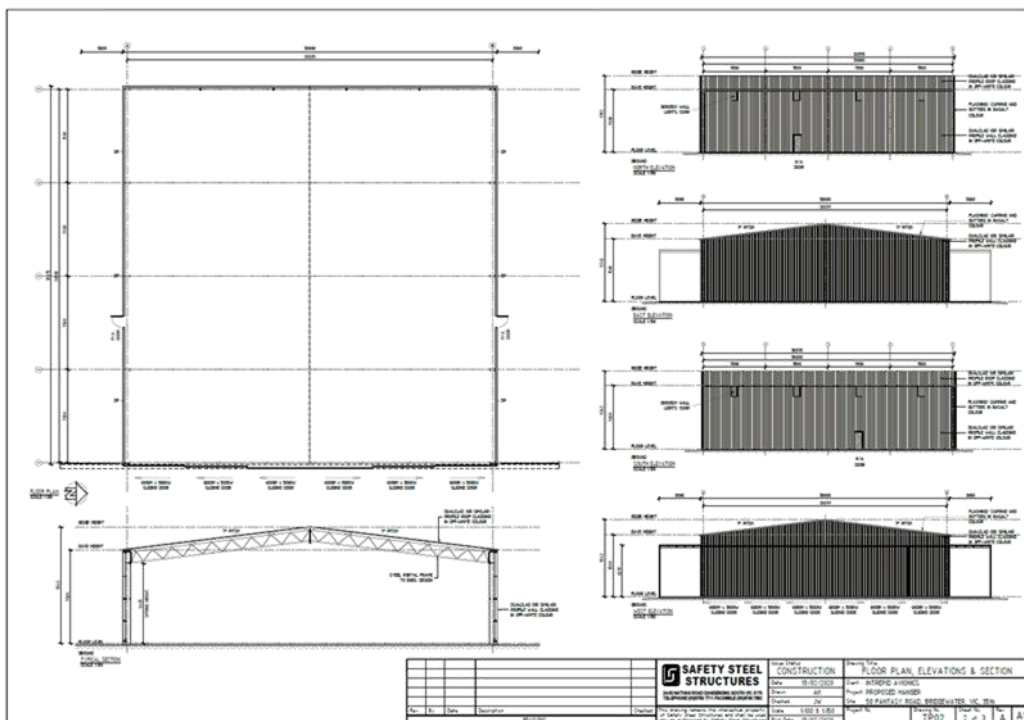
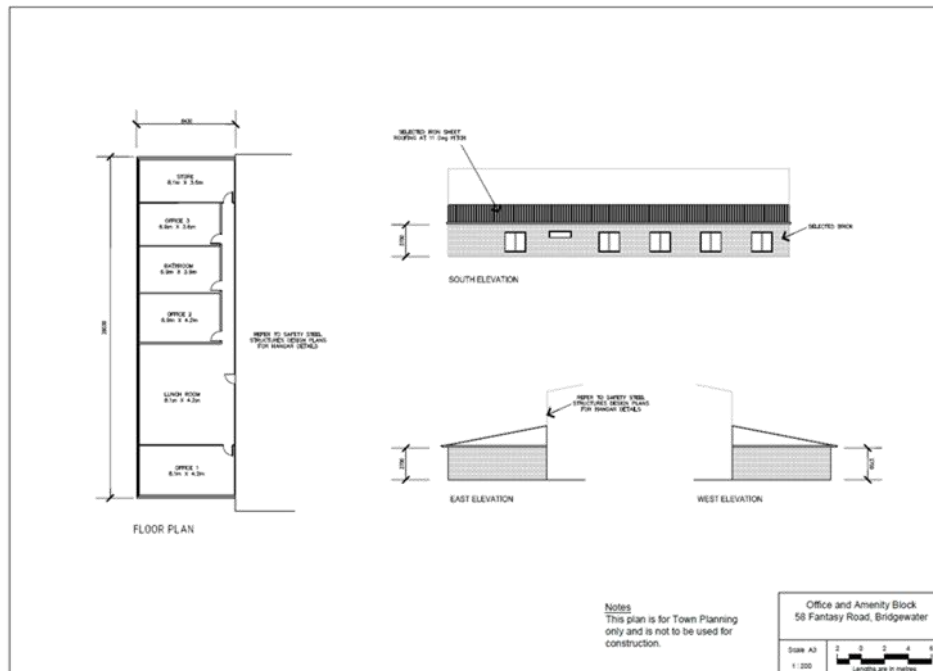
The business proposed only includes two employees (the two land owners). The business will also be limited by the constraints on the operation of the airstrip. Expansion beyond this would be subject to further planning approval.

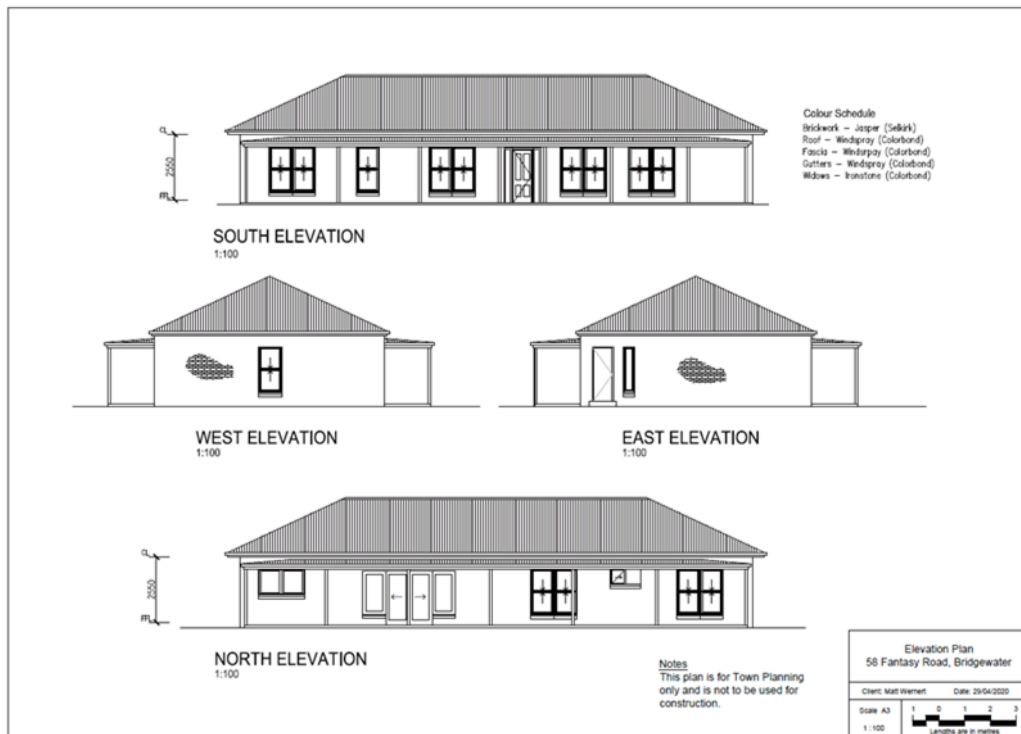
4 CONCLUSION

The proposal is considered to be consistent with the purpose of the Farming Zone and is unlikely to cause significant impacts on surrounding agricultural uses. The proposal is compatible with the existing use of the land for an airstrip and for agriculture.

APPENDIX 1: Development Plans







APPENDIX 2: Objections

Objection 1

We are writing in response to the planning application Spire Job Number: 30/604. After carefully reading the application and due to the limited detailed information that is available we are unable to support the application at this time.

There are a number of issues that we would like to see addressed before we can make an informed decision to any changes on the proposed airstrip site. At this time we have no objections to the proposed dwelling being constructed.

Development of the site for an aircraft hanger

- The proposed aircraft hanger has already been constructed and our concern is that we were not notified that this was going to happen and therefore we have been denied the right of reply to a planning application permit.

Use of land for industry

- The proposed aircraft maintenance business is of concern as we do not have detailed information as to the actual size of the aircraft, and do they comply with the airstrip capabilities?

Scope of Business

- Is this going to be zoned as a rural or a commercial business?
- Is the business hoping to expand in the future and if so will they be applying to add more commercial building to the site?
- If this business is intended to expand, do they have a detailed business plan to make available at this time?

Work Practices

- This has been specified as a Monday to Friday business but does that include the fly in and out of aircraft to the site for maintenance and repairs (excluding fire and emergency aircraft) or does this extend to day/night and weekends.
- Are daily flights limited for weekend and recreational use?

Frequency

- How many flights per day are going to be permitted?
- Have the flight plans been established and if so will they be taking off and landing over current dwellings and if so at what height will they be when passing over said properties?

Environmental impacts

- We have very strong concerns about noise pollution and the effect that it will have on our current quality of life. We live in a rural residential area and have done so for the past forty years and we would like to maintain this lifestyle.
- We are also very concerned about the air pollution that may occur due to aircraft fuel and the possibility of aircraft dumping fuel in case an emergency landing is required.
- Where and what type of hazardous fuels will be stored on the location and has a designated storage facility been approved and if so why is this not shown on the application plans.

Diversified Economy: Clause 17.01 *Improve access to jobs closer to home.*

- It is stated in *The Proposal 4.2* *It is only the landowners (i.e. 2 employees) that will undertake maintenance work from the site,* so we again ask what are the future plans for expansion and where is a detailed business plan outlining this.

At this stage due to the limit of detailed information available we are greatly concerned about this proposal for a permit and therefore we would like to lodge our formal objection.

Further Correspondence from Objector 1

Following the response from to the planning application Spiire Job Number: 307604 we feel that the questions that we had asked have not been responded to adequately and we therefore require them to respond further.

Development of the site for an aircraft hanger

- The property owners of 58 Fantasy Road Bridgewater have knowingly misled Loddon Shire Council by obtaining a Building Permit to construct an Agricultural Building that was never intended for agricultural purposes.
- By their own admission they have confirmed that the original permit was an underhanded way to obtain the Aircraft Hanger Permit and this has caused us to be very concerned about how honestly they will respond to any and all future questions regarding their business plans.

Use of land for industry

- We do not have a computer and therefore are unable to access the internet to Google the CASA CAAP 92-1 information which they believe is an adequate response to our question. What is best practice for any documentation where quoting relevant information is to add an Appendix containing that information? We would appreciate if that information could be attached to their response.

Scope of Business

- As the applicants are not applying to have the site rezoned what farming activity will this land be used for in conjunction with their Aircraft Business?
- The applicants stated in their first submission that they were hoping in the future to grow their business and to have future employees. We would appreciate if they could include a brief outline of this business plan in their response.

Work Practices

- We asked if daily flights will be limited for weekend and recreational use and we found the answer to be irrelevant to the question. All previous users of the Airstrip have been able to give us answers to the amount of air traffic and we would appreciate if you could do the same.

Frequency

- Whilst you in vision that currently there will be one flight every couple of days in connection to the Maintenance Business; what about future expansion and do you need to test fly said aircraft?
- The question we raised regarding flight plans has been answered by quoting what we believe to be a CASA requirement, so we would again ask for an Appendix to be added to your response in order for us to be able to make informed determinations.

Environmental impacts

- We would like to thank you for the correct educational information that their won't be any fuel dumped, but we are still mindful that there will be flammable liquids stored on site and we would like to see the Storage of Flammable Liquids Plan.

Diversified Economy: Clause 17.01

- Please understand that we believe that we have valid concerns about the impact your business may have on our lifestyle, so if you could please give us the detailed answers to the questions we have asked we will then be able to make informed decisions.

- Whilst we don't want to discourage your dream of an Aircraft Business you must understand that we are living our dream and we don't want to lose it.

Again; at this stage due to the limit of detailed information available we are greatly concerned about this proposal for a permit and therefore we would like to again lodge our formal objection.

Objection 2

The application being objected to

Planning application number: 5542 Proposal: USE FOR DWELLING AND HANGAR

Reasons for objecting to the application

The proposed development does not address the likely impacts of the hangar upon the existing broiler farm located to the west of the site along Bridge Water - Maldon Road and the poultry egg farm located to the north along Fantasy Road. There is no assessment of the likely noise levels to be generated by the maintained aircraft including turbine engines. The house and the poultry sheds are located less than 150 metres from the hangar.

The use of aircraft at less than 150metres is likely to generate loud noises which will affect the behavior of the poultry and will trigger a fright and flight response in the poultry. This will greatly affect their health, livability and animal welfare. This will be detrimental to the on going operation and viability of the existing broiler and poultry farms. We suggest the proponent undertakes an acoustic study to determine the likely noise levels generated by the aircraft movements. This will allow the proponent and the existing poultry farms to understand the effects on the local amenity in regards to noise.

A section 173 agreement can then be agreed to allow both businesses to operate in a manner which minimise any detrimental effects to each other.

APPENDIX 3: Response to Objectors

Response from applicant to Objector 1



Our Reference 307604
Your Reference 5542

14 January 2021

Carolyn Stephenson
Senior Strategic/Statutory Land
Use Planner Loddon Shire Council
PO Box 21
WEDDERBURN VIC 3518

Dear Carolyn,

58 Fantasy Road,

Bridgewater Planning Permit

Application No. 5542

Response to Objection

We continue to act on behalf of Intrepid Avionics in relation to Planning Permit Application No. 5542 applying to the property at 58 Fantasy Road, Bridgewater which seeks approval for:

The use and development of land for a dwelling, development of the site for an aircraft hangar, use of the land for industry (aircraft maintenance) and creation of access to a Road Zone – Category 1.

We have now had an opportunity to review the submission received in relation to the above application and understand the main concerns relate to the proposed use of land, the proposed business scope and work practices, the frequency of flights and potential environmental impacts.

A response to these matters is provided below.

DEVELOPMENT OF THE SITE FOR AN AIRCRAFT HANGER

5 ▶ *The proposed aircraft hanger has already been constructed and our concern is that we were not notified that this was going to happen and therefore we have been denied the right of reply to a planning application permit.*

A planning permit was not required to construct an agricultural building on the subject site which the building was classified as at the time of the building permit application. A building permit was obtained for an agricultural building.

A planning permit is however required to use this building for aircraft maintenance and to develop the site for an aircraft hangar. An application has been sought for this land use and development as per this current planning application and submissions are able to be received.

USE OF LAND FOR INDUSTRY

- 6 ▶ The proposed aircraft maintenance business is of concern as we do not have detailed information as to the actual size of the aircraft, and do they comply with the airstrip capabilities?**

Aircrafts that use the airport are required to comply with requirements of CASA CAAP 92-1.

Spiire Australia Pty Ltd ABN 55 050 029 635 T 03
5448 2500
16 Bridge Street PO Box 1064 Bendigo VIC 3550

**SCOPE OF BUSINESS**

- 7 ▶ Is this going to be zoned as a rural or a commercial business?**

This application does not propose to rezone the land and as such, the subject site will remain in the Farming Zone. The land uses and development proposed as part of this application are permit required activities in this zone and are not prohibited from occurring on the land.

- 8 ▶ Is the business hoping to expand in the future and if so will they be applying to add more commercial building to the site?**

No our client has no intention of expanding the business at this stage.

- 9 ▶ If this business is intended to expand, do they have a detailed business plan to make available at this time?**

Please see comments above.

WORK PRACTICES

- 10 ▶ This has been specified as a Monday to Friday business but does that include the fly in and out of aircraft to the site for maintenance and repairs (excluding fire and emergency aircraft) or does this extend to day/night and weekends.**

Yes the hours of operation specified in the application relate to aircrafts visiting the site for maintenance and repairs which is land use proposed as part of the application. Page 10 of the Town Planning Report states the following with respect to the proposed use of land for this purpose:

"Their business hours are typically 7am-6pm Monday to Friday. It is however noted that during the fire season it is common for maintenance to be undertaken on fire spotter planes during the evening so that the crew can fight fires during the day. Some flexibility in the hours of operation would be required on a permit (should one issue) to accommodate maintenance on planes during the fire danger period."

- 11 ▶ Are daily flights limited for weekend and recreational use?**

The Bridgewater airport has been used since 1977 by recreational and private pilots, flying schools, charter operators and emergency services.

FREQUENCY

- 12 ▶ How many flights per day are going to be permitted?**

Our client does not envisage more than one flight every couple of days in connection to the maintenance business.

- 13 ▶ Have the flight plans been established and if so will they be taking off and landing over current dwellings and if so at what height will they be when passing over said properties?**

Aircrafts taking off from the Bridgewater Airport (and any other Airport) must comply with the requirements of CAR92 & CAAP 92-1.

ENVIRONMENTAL IMPACTS

- 14 ▶ We have very strong concerns about noise pollution and the effect that it will have on our current quality of life. We live in a rural residential area and have done so for the past forty years and we would like to maintain this lifestyle.**

See response to work practises above.

307604 2



- 15 ▶ We are also very concerned about the air pollution that may occur due to aircraft fuel and the possibility of aircraft dumping fuel in case an emergency landing is required.**

Aircrafts that are permissible to land at the Bridgewater Airport do not have the ability to dump fuel, only large Jet airliners (I.E Boeing 737) can do this.

- 16 ▶ Where and what type of hazardous fuels will be stored on the location and has a designated storage facility been approved and if so why is this not shown on the application plans.**

No fuel is stored on site.

DIVERSIFIED ECONOMY: CLAUSE 17.01

- 17 ▶ It is stated in The Proposal 4.2 It is only the landowners (i.e. 2 employees) that will undertake maintenance work from the site, so we again ask what are the future plans for expansion and where is a detailed business plan outlining this.**

Please see comments above.

We trust the above response and enclosed information addresses the concerns raised in the submission. Should you have any queries have or require any additional information please contact me in the office on (03) 5448 2502 or on 0400 653 181. Alternatively please email me at zoe.porlai@spiire.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to be "Zoe Porlai".

Zoe
Porlai
Senior
Associa
te

307604 3

Response from applicant to Objector 2

1. The proponent has not assessed the level of noise likely to be generated by the maintenance and movement of aircraft into the hangar which included turbine engines.

Aircraft engines are always shut down before moving the aircraft into a hangar. This is a CASA/ insurance and common sense requirement.

2. Bridgewater Poultry has poultry sheds and a house which is located less than 150m from the hangar.

The Hangar is located in nearly the exact same position as a previously existing hangar (consisting of 3 shipping containers and a roof) This was used for many years by the previous owners for skydiving operations, maintenance etc amongst other things. In fact the new hangar is further away from the house and sheds if anything. The house in question is not occupied and has not been for over 18 months. The poultry sheds in question are condemned/derelect and are not in use.

3. The health and welfare of the poultry is affected by loud noises which causes a fright and flight response in the birds.

As the sheds Bridgewater poultry keep their birds in have one wall of floor to ceiling industrial fans which run 24hours a day, I'd very much doubt the workers, let alone the birds would be able to hear anything else other than the noise of the fans within those sheds. The health and welfare of the poultry does not seem to be a high priority for the farm as is exemplified by the previous actions of the workers.

4. Bridgewater Poultry cannot assess if the proposed development will generate excessive noise at the poultry sheds as no information has been provided, hence objects to the development. See item 1,2 & 3
5. The proponent should undertake an acoustic study to determine the likely noise levels generated by the aircraft movements and their likely noise levels upon Bridgewater Poultry.

See item 1,2 & 3. This would be pointless as the noise from the industrial fans on the sheds at the bridgewater poultry farm drown out all other noise.

6. Upon completion of the acoustic study, both parties may be able to agree to a section 173, to allow both businesses to operate in a manner which minimises detrimental effects to each other.

As the owners of the Bridgewater airport we have tried multiple times of the last five years to have a meeting and a constructive dialog with the owners of the Bridgewater poultry farm(the last time on the 20th october 2020) These requests have been wholeheartedly ignored. We are more than willing to meet up and discuss any concerns the Bridgewater poultry farm may have. Please feel free to pass on our contact details should the managers of the farm change their mind.

10.2 PLANNING PERMIT APPLICATION 5622 - 67 BROOKE STREET INGLEWOOD

File Number: 52819900
Author: Carolyn Stephenson, Statutory / Strategic Planner
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Decision Report 5622

RECOMMENDATION

That Council resolve to grant a permit for demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated buildings and works and painting at Royal Hotel, 67 Brooke Street, Inglewood subject to the conditions defined in the attached decision report.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

There have been no previous Council discussions on this matter.

BACKGROUND

Applicant: Jika Jika Pty Ltd

Owner: Jika jika Pty Ltd

Subject Land: 67 Brook Street Inglewood

Application 5622 proposes the demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated buildings and works and painting at the Royal Hotel, 67 Brook Street Inglewood. Planning approval is required for these works as the building and the Brooke Street commercial area is subject to Heritage Overlays.

The property is also subject to a Building Order, issued by Council's Municipal Building Surveyor due to the condition of the existing verandah.

ISSUES/DISCUSSION

Under the *Planning and Environment Act, 1987* ('the Act') the Minister for Planning delegates a municipal council power to become the planning authority for any planning scheme in force in its municipal district.

A municipal council is obligated to enforce and administer the relevant planning scheme and must use the scheme to determine applications.

For Council, the Loddon Planning Scheme is the relevant Planning Scheme which must be applied by Council when determining applications.

Council has delegated authority to its Planning Officer to determine outcomes of applications, however it is Council's practice to make the final determination for applications which:

- receive one or more public objections
- and/or
- are to be recommended for refusal by the Planning Officer.

In this particular case there are no objections as the matter is exempt from notice to the public and from appeal. The recommendation from the Planning Officer is to grant the Planning Permit. Notwithstanding the above, this is a prominent site within Inglewood and as such the matter is

being brought to Council for consideration. A detailed decision report is included in attachment 1 outlining the Planning officer's assessment and considerations in determining the recommendation to Council. A Heritage Assessment Report is included in the Planning officer's decision report.

COST/BENEFITS

There are various costs associated with having a delegated Planning Officer consider an application and make a recommendation as well as with the time of the Councillors to consider this recommendation.

The benefits associated with this cost are the ability for Council to fulfil its requirement under law and provide the community with a statutory service that delivers well-managed and appropriate development.

The cost of inappropriate land use and development includes loss of amenity, inefficient use of infrastructure and environmental impacts. The benefit of appropriate land use and development is aesthetically appropriate development, land use that is compatible with land capability, sustainable infrastructure provision and enhancement of environmental values.

RISK ANALYSIS

The risks of Council not fulfilling its statutory obligation under the Act include:

- Inappropriate development which could endanger life and property.
- Council's reputation as a responsible authority.
- Breaches of the *Planning and Environment Act, 1987* requiring compliance action.

CONSULTATION AND ENGAGEMENT

Please refer to the decision report for further detail on the application.

LODDON SHIRE COUNCIL

DECISION REPORT 5622: Demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated building and works and painting



CONTENTS

1	RECOMMENDATION	4
2	DISCUSSION	5
	2.1 Site & location.....	5
	2.2 Site history.....	6
	2.3 Proposal	6
	2.4 Loddon Planning Scheme.....	7
	2.4.1 Zone	7
	2.4.2 Overlays.....	7
	2.4.3 Restrictive covenant.....	9
	2.4.4 Planning Policy Framework.....	9
	2.5 Referrals.....	10
	2.6 Public notification.....	11
3	ASSESSMENT	11
	APPENDIX 1: HERITAGE ASSESSMENT REPORT	12

SUMMARY

Application Number:	5622
Applicant:	Jika Jika Pty Ltd
Subject Land:	67 Brooke Street Inglewood
Owner:	Jika Jika Pty Ltd
Zone:	Township
Overlay(s):	Heritage Overlay
Existing use:	Hotel
Proposal:	Demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated buildings and works and painting.

1 RECOMMENDATION

That the responsible authority resolves to grant a permit for demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated buildings and works and painting at Royal Hotel, 67 Brooke Street, Inglewood VIC 3517 subject to the following conditions:

1. Before the demolition and other works start, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. Details of the trellis wire support system between the posts (1.6m-1.8m, by 3 wires) to support the grape vine. This is to be designed by certified fencer/viticulturist.
 - b. Details of the horizontal rails to be installed between the verandah posts (as proposed in letter from Approval System 18.12.20). This is to be designed by a building surveyor or suitably qualified engineer with structural detail and or certification to be provided to demonstrate stability and safety.
 - c. Paint colours for the exterior of the building.
 - d. Other works and repairs to be undertaken to the building.
2. Prior to commencement of demolition of the verandah, the land owner is to document and photograph the two storey verandah to the satisfaction of Responsible Authority. The photographs should be marked up as per direction of view. A copy of the photographs is to be provided to the Responsible Authority and the Inglewood and District Historical Society.
3. A condition audit of the masonry building, including the parapet, must be undertaken to assess cracking and other damage. This must be carried out in conjunction with the verandah removal. All essential repairs and replacement of missing decorative features and moulds, reinstatement of rainwater gutters, and down pipes, flashings around the parapet upstands must be undertaken following removal of the verandah. Details of these works must be provided to the Responsible Authority for approval prior to these repair works being undertaken.
4. The current grape vine must be professionally pruned and cared for by a qualified viticulturist. Appropriate measures must be put in place to protect the vine during demolition works.
5. The trellis wire support system for the grape vine must be erected by a certified fencer/viticulturist.
6. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
7. This permit will expire if one of the following circumstances applies:
 - a. the development is not started within two years of the date of this permit.
 - b. the development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

2 DISCUSSION

2.1 Site & location

The subject property is the Royal Hotel, located on the corner of Brooke Street and Verdon Street, Inglewood. This building is a prominent and significant building in the main commercial street of Inglewood.

This building was constructed in 1863/4 to replace a former hotel that was lost in an extensive fire that swept through Inglewood in 1862. It was designed by the architectural firm, Wilhelm C. Vahland and Robert Getzschmann, architects, Bendigo. It was originally constructed without a verandah however a single storey verandah was added in 1866 and further extensions in 1876 with the existing two storey timber verandah added in 1937.

The building was an important social venue in Inglewood and included a masonic hall, theatre and bowling alley.

The grape vine attached to the verandah is of significance for its scientific, horticultural and social value due to its age.





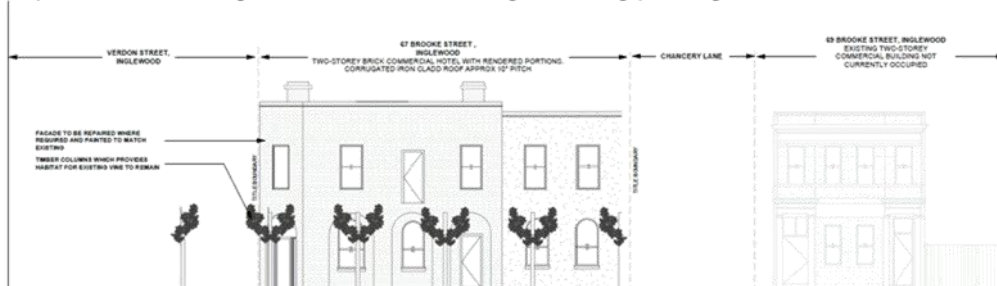
2.2 Site history

The verandah is in a state of disrepair and as a result of fears to public safety, a Building Order under Section 111 of the *Building Act 1993* was issued by the Municipal Building Surveyor in 2019

Application Number	Proposal	Decision	Date
5524	Demolish verandah	Application lapsed due to lack of information	June 2020

2.3 Proposal

The application seeks approval for the following:
 Removal of existing two-storey verandah and retention of the grape vine and associated support verandah posts.
 Repairs to the building facade to match existing, including painting.





2.4 Loddon Planning Scheme

2.4.1 Zone

The subject land is zoned Township.

Planning approval is not required pursuant to the provisions of the Township Zone.

The land along the frontage of Brooke Street is zoned Road Zone 1.

Planning approval is not required pursuant to the provisions of Road Zone 1.

2.4.2 Overlays

The subject land is included in the Heritage Overlay as both an individual property (HO 49) and as part of the Town Centre precinct (HO 28).

The purpose of the Heritage Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Planning approval is required for demolition, to externally alter a building by structural work and for works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials. Planning approval is also required for external painting of this building.

Relevant decision guidelines of the Heritage Overlay are as follows:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

Heritage advice

Independent heritage advice was sought from Amanda Jean – Heritage Architect. Her advice included the following. The full advice is attached.

The imposing two storey Royal Hotel located in the centre of the commercial street of Inglewood is an outstanding historic building, a landmark building.

There are two major constraints affecting the property. These are the existing two-storey verandah, especially on Verdon Street, is unsafe to the public and most likely the building as well. There is a building order the entire structure to demolish. The cost of replacement is high and most likely beyond the means of the owner at the present time particularly with regard to the current coronavirus public use restrictions that have been in place during 2020 and beyond.

The current state of the 1930s verandah is poor. The original design has been compromised by the addition of the corrugated metal balustrade. However, the ceiling soffit of the verandah along Brooke Street is in good condition. It would be logical to retain the single storey verandah in this section, notwithstanding, it too would require considerable funding to make safe and upgrade.

The situation of aging 19th and 20th century two storey verandah in main streets in historic areas is common. Despite appearances to the contrary, often the structural timber members are inadequate, do not comply with current building regulations and safety codes. There has been no structural engineer's analysis except for the building surveyor's assessment. In this case, the use of Brooke Street as a main highway, the Calder Highway, by heavy vehicles passing within a few metres of the structure compounds the problem.

The 1863 building is of high quality and has been designed by one of the most well-known, leading architectural firms in central Victoria. It is a very early good example of their work. In my opinion it is worthy of state heritage listing, even, without the front verandah.

The heritage advisor made the following recommendations:

Discuss with the building surveyor whether the Brooke Street section of the two-storey verandah can be retained with modifications and compliance and that this work is within the capacity of the owner.

Page 8 of 12

The building surveyor should carry out an inspection of the entire building including rear additions and report to Council whether further removal of unsafe structures needs to be carried out. This should include the stability of the parapet and potential for building failure associated with the roof and rear two storey verandah and the Verdon Street single storey facade.

Application made to Heritage Victoria for state heritage listing and protection and following, emergency funding.

Documentation and photographing of the two storey verandah to the satisfaction of the Loddon Shire Council. The photographs should be marked up as per direction of view etc.

Removal of the two storey verandah and retention of posts as indicated on the drawings to a height of 2 metres. Documentation and installation of a trellis wire support system between the posts (1.6m-1.8m, by 3 wires) and straining wires to the satisfaction of the Loddon Shire Council. This should be erected by a certified fencer/viticulturist. Additional planting of 6 more vines, dormant grafted wines for improved biosecurity and sustainability, obtained from and under the direction of Chalmers Wine Nursery, <https://www.chalmers.com.au/nursery-orders> , for 2021spring planting. The current grape vine is not in good health/ is doing well for its age. It should be professionally pruned and cared for. Cuttings should be taken during winter for planting or grafting. Samples should be taken to Chalmers Grape Nursery, Heathcote, for identification. These instructions should be made a condition of the planning permit.

It is recommended that Loddon Shire Council support all commercial owners in Brooke Street that have grape vines to ensure healthy plants and statewide biosecurity measures are in place. Assistance from the Australian Wine Research Institute analytics and other such assistance from them, is available free of charge.

Removal of the two storey verandah should be carried out in conjunction with a condition audit of the masonry building, the parapet, cracking, etc. All essential repairs and replacement of missing decorative features and moulds, reinstatement of rainwater gutters, and down pipes, flashings around the parapet upstands, should be made a condition of the planning permit.

It is in the interest of the public and Loddon Shire Council that assistance is provided to sustain this beautiful commercial streetscape and series of quality historic buildings which have a high level of integrity. Inglewood is an outstanding 19th century gold rush town with its own unique stories.

2.4.3 Restrictive covenant

There are no restrictive covenants listed on the titles included within the subject site.

2.4.4 Planning Policy Framework

The following section sets out the sections of the State and Regional Planning Policy Framework that are relevant to this application.

15.03-1S Heritage conservation

26/10/2018
VC155

Objective

To ensure the conservation of places of heritage significance.

Strategies

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the protection of natural heritage sites and man-made resources.

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

Support adaptive reuse of heritage buildings where their use has become redundant.

Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.

The following clauses of the Local Planning Policy Framework are relevant to this application.

Clause 21.04-1

Community and Settlement identifies the need to enhance the heritage character of Brooke St.

Clause 21.04-1

Heritage identifies the need to protect significant heritage places.

Clause 22.01

Heritage includes the following relevant policy statements:

- Proposals for the use and development of land should have regard for local heritage and any comments from Council’s Heritage Adviser or any other Council appointed heritage advisory board or committee. Council will consider the comments of their heritage adviser in determining an application in a known or suspected heritage area.
- In determining an application for removal of a heritage building, Council will consider the heritage value of the building itself, and its role in the streetscape, as well as the impact of retaining the building on the amenity of the street and neighbourhood and the economic feasibility of restoration.

2.5 Referrals

The application was not required to be formally referred in accordance with the Section 55 of the *Planning and Environment Act 1987* or Clause 66 of the *Loddon Shire Planning Scheme*. As part of the subject land is the road reserve managed by VicRoads their consent for the application has been provided.

The application was referred to the following internal departments of the Loddon Shire Council for comment and/or advice:

Department	Advice/ Comments/ Conditions
Building	The Building Surveyor advised that there was the potential for the posts to fail without the building for support.

2.6 Public notification

In accordance with Clause 43.01-4 of the Loddon Planning Scheme the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3 ASSESSMENT

The verandah is in a significant state of disrepair and is posing a risk to the community and the building. It is also affecting the visual amenity of the main thoroughfare of Inglewood. Any repair to the verandah would involve significant work, and most likely result in the replacement of much of the original fabric of the verandah to ensure it met current standards. This would require substantial funds and the owner has indicated that repair is not an option at this time. The building was originally constructed without a verandah, as such it is considered that removal of the verandah would not be inconsistent with the objectives of the Heritage Overlay, and would support the preservation of the rest of the building.

The Heritage adviser recommended that an application be made to Heritage Victoria for state heritage listing and potential emergency funding. An application can be made by the building owner or members of the community.

The Heritage adviser has confirmed the significance of the building and although the preferred option would be to repair the verandah, has supported the proposal to remove the verandah and retain the posts and vines to ensure the long term preservation of the building.

The opportunity remains for a verandah to be reinstated in the future should funds become available. Retaining the verandah posts in some form to support the vine and provide for its protection would ensure that this significant part of the property is retained.

APPENDIX 1: HERITAGE ASSESSMENT REPORT



Jane-Amanda Jean, Architect

ABN 14 420272945

ARB 1428/Vic 15757/ A+ Member AIA

Bsc. Arch Queens Un. Belfast, N. Ireland
Grad Dip. Arch. Un. of Cambridge, UK
M of Philosophy Un. of Sydney, Australia

Guildford Vineyard, PO Box 891,
Guildford, Vic 3451
Mobile: 0411253506

Carolyn Stephenson

Senior Strategic/Statutory Land Use Planner

Loddon Shire Council

PO Box 21 Wedderburn VIC 3518

41 High St Wedderburn VIC 3518

p: (03) 5494 1228 | f: (03) 5494 3003 |

e: cstephenson@loddon.vic.gov.au

HERITAGE REFERRAL / HERITAGE IMPACT ASSESSMENT STATEMENT RE-REMOVAL OF EXISTING TWO-STOREY VERANDAH AND RETENTION OF THE GRAPE VINE AND ASSOCIATED SUPPORT VERANDAH POSTS: 67 BROOKE ST., VIC 3517.

I am writing as a consultant architect/heritage advisor on behalf of the Loddon Shire Council in support of removal of the 1930s two storey timber verandah and retention of the 100-year old grape vine and a re-design of the modified grape vine support structure at 67 Brooke Street, Inglewood.

The imposing two storey Royal Hotel located in the centre of the commercial street of Inglewood is an outstanding historic building, a landmark building. Originally opening in 1860 as a timber weatherboard structure, with improvements in 1862. The owner was Mr. Robert Tatchell, a man of considerable wealth, a mining investor and former mayor of Inglewood district. The hotel was known as the Theatre Royal following the inclusion of a theatre in the 1862 improvements. Unfortunately, it was burnt down in an extensive fire that swept through Inglewood in 1862 when approximately 63 buildings were destroyed. The building was valued at 5,000 pounds and uninsured. However, shortly afterwards, Tatchell rebuilt the hotel as a masonry brick building which opened in 1863. It was designed by the architectural firm, Wilhelm C. Vahland and Robert Getzschmann, architects, Bendigo. A single storey verandah was added in 1866 and further extensions in 1876 and the existing two storey timber verandah in 1937(see Collins' photograph below). For over 160 years Royal Hotel has been an important social hub for Inglewood. It contained the Masonic Lodge chambers, the Councillors would retire to the hotel after meeting at the Town Hall, banquets and community club meetings were held there, it provided dining services, Cobb & Co stables and rooms for travellers.



The Royal Hotel at the intersection with Brooke and Verdon Streets, Inglewood, 2020.



The Royal Hotel at the intersection with Brooke and Verdon Streets, Inglewood, 2020.



The single 100-year old grape vine. Grape vines can live to 80-125 years or longer. They are exceeding rare in a world where grape trunk disease is becoming widespread. The grape vine must therefore be considered of significance for its scientific horticultural and social value.



The Verdon Street single storey section is in relatively, good condition as too the facade along Brooke Street. The verandah along Brooke Street is in better condition than the two-storey section in Verdon Street. However, the corrugated balustrade is inappropriate and the dead weight loading too heavy for the structure.



Photo Inglewood. Royal Hotel, Collins, John T. 1907-2001 , photographer., 1973, H97.250/1059 SLV.

The photograph above shows the single grape vine and trellis system at 2 metre height. The vine looks about 30 plus years old. The original 1937 balustrade of the two storey verandah design, was constructed of fibro boards and battens, a very lightweight fibro material.



Photo Inglewood. Royal Hotel, Collins, John T. 1907-2001 , photographer., 1973, H97.250/1059 SLV.

Address: 67 Brooke Street Inglewood, VIC 3517, Allot. 12/45, Township Of Inglewood
 Property Number: 52819900



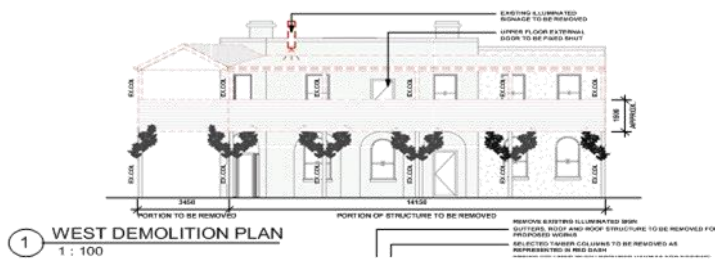
Site plan taken from the Planning Application.

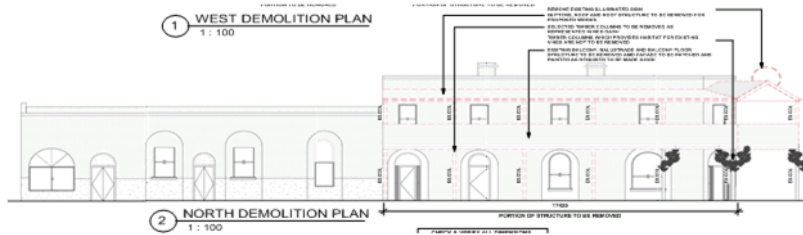
HISTORY:

The Royal Hotel was built by the original grantee, Thomas Tatchell, in 1860. The allotment was obtained for L25 and the hotel built with a weatherboard facade and calico roof and walls. It opened for business on the 10 March, with "a very small stock, but a large display of bottles". By the end of the year business had so prospered that the proprietor built a more permanent structure of weatherboard but two years later this building was burnt down in the Great Inglewood Fire. In 1864 a third Royal Hotel rose from the ashes this time built in brick. It included a masonic hall, a theatre and a bowling alley at the rear. From its beginning the Royal Hotel cultivated the patronage of Inglewood's "better" class of citizen. It provided the venue for any respectable public function and encouraged various clubs and societies to meet within its walls. The Royal was also one of Cobb and Co.'s stopping stations and a Cobb and Co. lead-light lamp hang for many years under the Royal Hotel's verandah. Further extensions were carried out to the Royal in 1878, and in 1937 a balcony was added. The Royal Theatre was eventually divided in half, one half being used as a dining room and the other as a sampling room for travelling salesmen.

SIGNIFICANCE:

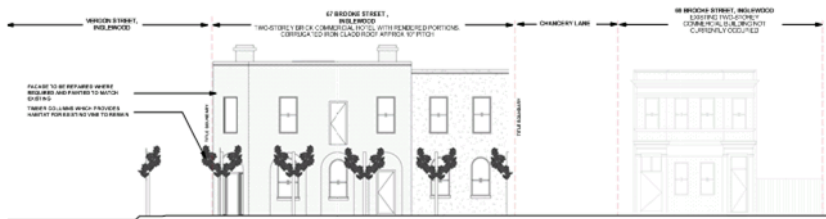
This is the oldest surviving hotel in Inglewood and a crucial building in its history. Until the Town Hall was built the Royal Hotel was the centre of the town's public life. It was here that societies held their first meetings, congregations worshipped until they found a church, public occasions were celebrated. Thomas Tatchell, the proprietor for thirty five years, also played a large part in the development of the town in his role as borough councillor and in the money he invested in local mines.





Proposed Works

It is proposed to remove the timber two-storey verandah and retain the timber posts as supports for the existing grape vine.



As there is only one existing grape vine it is assumed that posts along Brooke Street (Calder Highway) and Verdon Streets will be planted with additional 6 new grape vines. This will mean removing sections of the pavement to plant the vines. Commonly, vines are supported by a trellis consisting of growing and training wires and restraining wires, to ensure the wire tension and the posts are kept upright. Without these additional supports the weight of the vine as it grows will cause the support posts to move and become unstable. (Personal experience as a registered primary industry grape grower).

[HERITAGE OVERLAY 200](#)
[HERITAGE OVERLAY - EDWARDS STREET](#)
[HERITAGE OVERLAY - EDWARDS STREET](#)
[HERITAGE OVERLAY - EDWARDS STREET](#)



Planning Status

The Royal Hotel is individually heritage listed and also sited within the Inglewood heritage precinct. The requirements and decisions guidelines of Clause 43.01 apply under the Loddon Planning Scheme.

Comments

There are two major constraints affecting the property. These are the existing two-storey verandah especially on the Verdon Street is unsafe to the public and most likely the building as well. There is a building order the entire structure to demolish. The cost of replacement is high and most likely beyond the means of the owner

at the present time particularly with regard to the current coronavirus public use restrictions that have been in place during 2020 and beyond.

The current state of the 1930s verandah is poor. The original design has been compromised by the addition of the corrugated metal balustrade. However, the ceiling soffit of the verandah along Brooke Street is in good condition. It would be logical to retain the single storey verandah in this section, notwithstanding, it too would require considerable funding to make safe and upgrade.

The situation of aging 19th and 20th century two storey verandah in main streets in historic areas is common. Despite appearances to the contrary, often the structural timber members are inadequate, do not comply with current building regulations and safety codes. There has been no structural engineer's analysis except for the building surveyor's assessment. In this case, the use of Brooke Street as a main highway, the Calder Highway, by heavy vehicles passing within a few metres of the structure compounds the problem.

The 1863 building is of high quality and has been designed by one of the most well-known, leading architectural firms in central Victoria. It is a very early good example of their work. In my opinion it is worthy of state heritage listing, even, without the front verandah.

Recommendations

- Discuss with the building surveyor whether the Brooke Street section of the two-storey verandah can be retained with modifications and compliance and that this work is within the capacity of the owner.
- The building surveyor should carry out an inspection of the entire building including rear additions and report to Council whether further removal of unsafe structures needs to be carried out. This should include the stability of the parapet and potential for building failure associated with the roof and rear two storey verandah and the Verdon Street single storey facade.
- Application made to Heritage Victoria for state heritage listing and protection and following, emergency funding.
- Documentation and photographing of the two storey verandah to the satisfaction of the Loddon Shire Council. The photographs should be marked up as per direction of view etc.
- Removal of the two storey verandah and retention of posts as indicated on the drawings to a height of 2 metres. Documentation and installation of a trellis wire support system between the posts (1.6m-1.8m, by 3 wires) and straining wires to the satisfaction of the Loddon Shire Council. This should be erected by a certified fencer/viticulturalist. Additional planting of 6 more vines, dormant grafted vines for improved biosecurity and sustainability, obtained from and under the direction of Chalmers Wine Nursery, <https://www.chalmers.com.au/nursery-orders>, for 2021 spring planting. The current grape vine is not in good health/ is doing well for its age. It should be professionally pruned and cared for. Cuttings should be taken during winter for planting or grafting. Samples should be taken to Chalmers Grape Nursery, Heathcote, for identification. These instructions should be made a condition of the planning permit.
- It is recommended that Loddon Shire Council support all commercial owners in Brooke Street that have grape vines to ensure healthy plants and statewide biosecurity measures are in place. Assistance from the Australian Wine Research Institute analytics and other such assistance from them, is available free of charge.
- Removal of the two storey verandah should be carried out in conjunction with a condition audit of the masonry building, the parapet, cracking, etc. All essential repairs and replacement of missing decorative features and moulds, reinstatement of rainwater gutters, and down pipes, flashings around the parapet upstands, should be made a condition of the planning permit.
- It is in the interest of the public and Loddon Shire Council that assistance is provided to sustain this beautiful commercial streetscape and series of quality historic buildings which have a high level of integrity. Inglewood is an outstanding 19th century gold rush town with its own unique stories.

Jane Amanda Jean ABN 14 420272945, Architect Reg 1428, Reg Vic 15757/ A+Member AIA

6

10.3 ADDITIONAL PROJECTS FOR ANNUAL INFRASTRUCTURE PROGRAM

File Number: FOL/19/433061

Author: David Southcombe, Manager Assets and Infrastructure

Authoriser: Steven Phillips, Director Operations

Attachments: 1. **Budget Summary**

2. **Additional Infrastructure Projects - Confidential**

This attachment is designated as confidential in accordance with Section 77(2)(c) of the *Local Government Act 1989* on the grounds that it contains information defined as confidential in accordance with Section 3(1)(a) and (g(ii)) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; AND private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

3. **Additional Infrastructure Projects Without Cost Estimates**

RECOMMENDATION

That Council adopt the additional projects into the Annual Infrastructure Program as detailed within this report.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

The 2020-2021 Annual Infrastructure Program was discussed at the July 2020 Council meeting.

BACKGROUND

Every year Council allocates and spends significant funds on capital infrastructure projects. Council continually carries out scoping of new infrastructure projects and maintains a rolling program of projects. The rolling program is a database that forms the basis of the elements of the Annual Infrastructure Program.

The 2020-2021 Annual Infrastructure Program was developed with a total forecast of \$8,633,509 expenditure. At the time of the July 2020 Council Meeting, the outcome of three grant applications to the Heavy Vehicle Safety & Productivity Program and two grant applications to the Bridges Renewal Program were not yet determined.

A response has now been received on the applications made to the Heavy Vehicle Safety & Productivity Program and Bridges Renewal Programs. Council was successful in obtaining all funding for the Heavy Vehicle Safety & Productivity Program and only one of the applications for the Bridges Renewal Program. The unsuccessful application was for the Bailey's Bridge replacement project which will instead be funded from underspend in Council's Roads to Recovery allocation from the 2019-2020 financial year. All existing projects within the 2020-2021 Annual Infrastructure Program are funded and scheduled for delivery this financial year.

Council has obtained additional funding for Infrastructure Projects since the beginning of the financial year. Council applied for and was successful in obtaining \$422,213 of funding for the Laanecoorie Newbridge road reconstruction project through an AgriLinks Upgrade Program grant from Agriculture Victoria. Along with the allocation Roads to Recovery underspend from 2019-2020 financial year, has allowed Council funds to be redirected to additional projects for inclusion

and delivery as part of Council 2020-2021 Annual Infrastructure Program. Council has also received additional funding from the Commonwealth Government through an extension to the Local Roads and Community Infrastructure (LRCI) program. The second round of this program has provided Council with a further \$1,789,074.

ISSUES/DISCUSSION

The terms of the LRCI grants require that the funds must be expended on construction projects as follows:

- LRCI round 1, before 30 June 2021
- LRCI round 2, before 31 December 2021.

The timing restrictions have been taken into consideration when selecting projects for delivery.

The projects scoped to be delivered under the additional available funding are as follows:

- Local Road Reconstruction (LRC) – Asset Preservation
Funding of \$1,617,588 has been proposed for Bridgewater Raywood Reconstruction and Widening project and \$258,743 for the Whites Pitt Road upgrade project. The section of Bridgewater Raywood Road proposed is the last section of narrow seal remaining and will result in the entire Bridgewater Raywood Road being two trafficable lanes. Completing The Whites Pitt Road upgrade project will result in a decrease in the grading and resheet maintenance costs on this section of road which is becoming excessive due to the high number of commercial vehicles using the road associated with local industry.
- Local Road Reconstruction (LRC) – Amenity
Funding of \$132,380 has been proposed for five amenity projects. These projects are all associated with sealing township gravel access (TGA) streets in Boort, Newbridge, Inglewood and Wedderburn that have a history of dust complaints. They will improve township amenity by reducing dust for adjoining properties. They will be delivered within the existing allocation for Local Roads Reconstruction – Amenity.
- Buildings
Funding of \$11,000 is allocated for two additional building projects and \$147,232 is allocated to increasing the budget associated with existing building projects. This funding has been made available for redirection due to Council being successful in obtaining a grant from the State Government's AgriLinks Upgrade Program.
- Unallocated Portion of LRCI Program Round 2
Funding of \$171,486 is unallocated from the LRCI Program Round 2. This funding will be made available for future infrastructure projects that can be completed by December 2021.

COST/BENEFITS

The Annual Infrastructure Program is a significant part of Council's annual expenditure. The additional funding Council has received through grants and delivering projects under the estimated cost has allowed additional projects to be added to Council's Annual Infrastructure Program.

The benefit of the proposed expenditure is that it will allow Council to maintain safe public infrastructure and decrease annual liability over all asset classes. Better roads, better public facilities and improved bridges are the key outcomes of the proposed program which aligns with the strategic objective of "Support development of a prosperous and diverse economy" as stipulated in Council Plan 2017-2021. In particular, the completion of the widening of Bridgewater Raywood Rd is a significant achievement for Council as this road has had significant investment over recent years to upgrade and improve the safety of this asset.

RISK ANALYSIS

One of the risks identified with the proposed program is cost overrun. The estimated cost of each project has been evaluated based on current unit rates, industry practice and contingencies. The

likelihood of the risk is unlikely and the consequence is minor as per Council's risk matrix. The risk is thus deemed to be low.

The other risk identified is the delay in delivering projects. In previous years, detailed design for projects in the program was only undertaken following Council resolution. However, the Whites Pitt Road upgrade project and Amenity projects can be completed without detailed design. The design team has already started designing the Bridgewater Raywood Road project as proposed in the program thus ensuring delays to this project are minimised.

There is a risk associated with not completing projects before the timing requirements of the LRCI program. This will be mitigated by careful tracking of project progress and ensuring costs are all expended by the required dates. The Bridgewater Raywood project risk will be managed by tracking progress and engaging contractors to deliver the project if Works indicate they don't have the resourcing to complete it by the end of the year.

CONSULTATION AND ENGAGEMENT

The program has been developed in consultation with Council staff, in particular the Assets & Infrastructure Department and the Works Department. Other stakeholders and community members make contributions to the rolling program throughout the year via works requests and onsite meetings and visits conducted by staff.

Loddon Shire Council Annual Infrastructure Program 2020 - 2021
Budget Summary

Works Category	Draft Budget 2020-2021	Expenditure Adopted at July Council Meeting 2020-2021 Program	Updated Expenditure 2020-2021 Program
Local Road Gravel Resheet			
Council Funds (4)	\$ -	\$ 169,907	\$ 426,709
Roads to Recovery Standard (7)	\$ 324,730	\$ 581,532	\$ 324,730
Subtotal	\$ 324,730	\$ 751,439	\$ 751,439
Local Road Shoulder Resheet			
Council Funds (4)	\$ -	\$ -	\$ -
Roads to Recovery Standard (7)	\$ 378,851	\$ 86,580	\$ 86,580
Subtotal	\$ 378,851	\$ 86,580	\$ 86,580
Local Road Construction - Asset Preservation			
Council Funds(4)	\$ 163,229	\$ 2,739,427	\$ 4,543,544
Roads to Recovery Standard (7)	\$ 968,995	\$ -	\$ 72,214
Subtotal	\$ 1,132,224	\$ 2,739,427	\$ 4,615,758
Local Road Construction - Amenity			
Council Funds(4)	\$ -	\$ 264,704	\$ 264,704
Roads to Recovery Standard (7)	\$ 129,892	\$ -	\$ -
Subtotal	\$ 129,892	\$ 264,704	\$ 264,704
Local Road Construction - Safety			
Council Funds (4)	\$ -	\$ 100,000	\$ -
Roads to Recovery Standard (7)	\$ 162,365	\$ -	\$ 100,000
Subtotal	\$ 162,365	\$ 100,000	\$ 100,000
Township Street Improvements			
Council Funds (4)	\$ -	\$ 924,964	\$ 924,964
Roads to Recovery Standard (7)	\$ 278,928	\$ -	\$ -
Subtotal	\$ 278,928	\$ 924,964	\$ 924,964
Urban & Township Drainage			
Council Funds (4)	\$ 350,000	\$ 125,000	\$ 281,975
Roads to Recovery Standard (7)	\$ -	\$ 304,240	\$ 147,265
Subtotal	\$ 350,000	\$ 429,240	\$ 429,240
Local Bridges & Culverts			
Council Funds (4)	\$ 143,965	\$ 1,246,450	\$ 393,800
Roads to Recovery Standard (7)	\$ -	\$ 687,500	\$ 1,540,150
Others	\$ -	\$ -	\$ -
Subtotal	\$ 143,965	\$ 1,933,950	\$ 1,933,950
Road Reseals			
Council Funds (4)	\$ 1,096,003	\$ -	\$ -
Roads to Recovery Standard (7)	\$ -	\$ 723,259	\$ 663,259
Subtotal	\$ 1,096,003	\$ 723,259	\$ 663,259
Parks and Gardens (Townscape Services)			
Council Funds(4)	\$ 100,000	\$ 152,510	\$ 152,510
Subtotal	\$ 100,000	\$ 152,510	\$ 152,510
Buildings			
Council Funds(4)	\$ 400,000	\$ 527,436	\$ 685,668
Subtotal	\$ 400,000	\$ 527,436	\$ 685,668
Other (EV Charger Project)			
Council Funds(4)	\$ -	\$ -	\$ 60,000
Subtotal	\$ -	\$ -	\$ 60,000
TOTAL	\$ 8,993,916	\$ 8,633,509	\$ 10,668,072
FUNDING			
Council Funded (4)	\$ 2,253,197	\$ 2,113,847	\$ 2,113,847
Roads to Recovery Standard (7)	\$ 2,243,761	\$ 2,383,111	\$ 2,934,198
LRCI Round 1 (4)	\$ -	\$ 2,387,726	\$ 2,387,726
LRCI Round 2 (4)	\$ -	\$ -	\$ 1,789,074
Heavy Vehicle Grants (4)	\$ -	\$ 932,500	\$ 932,500
Bridges Renewal Grant (4)	\$ -	\$ 816,325	\$ 260,000
AgriLinks Grant (4)	\$ -	\$ -	\$ 422,213
TOTAL	\$ 4,496,958	\$ 8,633,509	\$ 10,839,558

Attachment 2 - Additional Infrastructure Projects

ADDITIONAL PROJECTS									
Program	Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS	Construction Category	Target Completion Date	Assessment Matrix Score	Status
Local Road Construction - Asset Preservation	LRC0487	Bridgewater Raywood Rd Reconstruction and Widening	U	Ch 9.21 to 13.14km (00 CalderHwy)	Pavement is deteriorating and high shoulder wear requires pavement rehabilitation. Pavement widening required due to high CV useage and safety.	Rehab & Seal	Dec 21	23	Programmed
Local Road Construction - Asset Preservation	LRC0514	Whites Pitt Road Upgrade	U	Ch 0.0 - 3.2	Upgrade and seal road	Rehab & Seal	Jun 21	15	Programmed
Buildings	BLD098	Boort Dump Point Relocation	U	Boort	Relocation of dump point	Building	Jun-21	10	Programmed
Buildings	BLD099	Boort James Boyle Hall Sound Shell gutter replacement	R	Boort	Repairs associated with gutter collapse after storm event in January.	Building	Jun-21	13	Programmed

EXISTING PROJECTS REQUIRING ADDITIONAL FUNDS REALLOCATED FROM EXISTING FUNDS									
Program	Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS	Construction Category	Target Completion Date	Assessment Matrix Score	Status
Buildings	BLD060	Building Emergency Works Allocation	R	Various	Allowance for emergency works	Building	Jun-21	12	Programmed
Buildings	BLD066	Korong Vale Mechanics Institute Hall	R	Korong Vale	Replace whole outer building fasard including but not limited to Roof, Weatherboards, Windows, Doors, and Fascia. Also maybe significant water rot in frame and restumping in parts. Recommended by Council's Building Maintenance Officer.	Building	Jun-21	12	Programmed
Buildings	BLD068	Building Compliance audits & minor rectification works	R	Various	Undertake 12 x buildings audits (1 per month) & minor rectification works	Building	Jun-21	12	Programmed
Buildings	BLD072	Boort Court House paint exterior and drainage paving	R	Boort	Paint exterior and drainage paving of Boort Courthouse building	Building	Jun-21	12	Programmed
Buildings	BLD096	East Loddon Community Centre Exterior Painting	R	Dingee	Paint external building	Building	Jun-21	12	Programmed

NEW PROJECTS FROM REALLOCATION OF EXISTING FUNDS									
Program	Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS	Construction Category	Target Completion Date	Assessment Matrix Score	Status
Local Road Construction - Amenity	AMN 038	Chapel St, Wedderburn	U	Ch 0.0 - 0.098 km	Sealing of local township road	Seal	Jun-21	15	Programmed
Local Road Construction - Amenity	AMN 039	Gordon St, Boort	U	Ch 0.317 - 0.356	Sealing of local township road	Seal	Jun-21	17	Programmed
Local Road Construction - Amenity	AMN 040	Jubilee St, Boort	U	Ch 0.355 - Ch 0.365	Sealing of local township road	Seal	Jun-21	15	Programmed
Local Road Construction - Amenity	AMN 042	Ryan St, Newbridge	U	Ch 0.740 - Ch 1.205	Sealing of local township road	Seal	Jun-21	15	Programmed
Local Road Construction - Amenity	AMN 043	Southey St & Deebie St, Inglewood	U	Ch 811-1137m & 0-130m	Sealing of local township road	Seal	Jun-21	15	Programmed

10.4 REQUEST TO ACCESS UNALLOCATED COMMUNITY PLANNING FUNDING

File Number: FOL/19/432449
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council allocate \$10,000 from the Loddon Shire Wedderburn Ward unallocated community planning funding to the Wedderburn Development Association in support of their application to assist the Wedderburn Mural project: 'Birds Eye View'.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

Council will normally review the applications and subsequent funding allocation recommendations as part of the annual community plan application assessment and allocation process.

BACKGROUND

Community planning is a direct allocation to projects identified and prioritised in the local community plan or other Council strategic document. Community plan funds often contribute to projects that go toward fulfilling the community's vision and improved liveability.

Annual community plan funding is based on a \$50,000 allocation per ward. Any unallocated funds or project underspends remain in reserve, ward by ward, for future allocation. This report seeks to access funds from the Wedderburn Ward community planning funds. The Wedderburn ward only receives applications to access community plan funding from the Wedderburn Development Association (WDA); there are no other active community planning groups in this ward. Due to the time critical nature of this project, this has prompted the consideration of a community planning funding application outside of the normal application process.

ISSUES/DISCUSSION

The Wedderburn community has been working on a local project that will see six murals added to building facades in and around Wedderburn to enhance the streetscape and encourage tourists to visit and explore the local area.

The WDA, as the Wedderburn Community Planning committee, have identified this as a priority project and are seeking to access Wedderburn Ward Community Planning funding that is currently being held in reserve to support this project.

Projects submitted are assessed on total funding available, project readiness, alignment with Council's strategic direction, and community involvement and support for the project.

When we consider the criteria for access to community plan funding:

- the group meets the criteria required to apply for access to community planning funding
- the project aligns with Council's strategic theme: Liveability
- the Birds Eye View project fits within the types of projects that will be considered for community plan funding

- there are sufficient funds available in the Wedderburn Ward community planning funds in reserve for the proposed allocation.

The project has been assessed by officers as meeting the community planning eligibility criteria and is presented to Council for consideration.

Wedderburn Ward

Wedderburn

WDA has requested consideration of one project; a local project that will see six murals added to building facades in and around Wedderburn, enhancing the streetscape and encourage tourists to visit and explore the local area.

Officer recommendation

- That \$10,000 is allocated to fund the Wedderburn Birds Eye View project.

Project	Summary	Total funds available	Request	Recommended allocation
WEDDERBURN				
Birds Eye View	Installation of six (6) murals to building facades in and around Wedderburn	\$150,233	\$ 10,000	\$ 10,000

COST/BENEFITS

The WDA have requested assistance of \$10,000 in support of the Birds Eye View project.

The Wedderburn Ward community planning unspent allocation currently has \$150,233 available.

These funds are in addition to the funds currently allocated to projects:

- Wedderburn Town Entry: \$33,310
- Wedderburn Caravan Park: \$50,000
- Wedderburn Caravan Park Redevelopment: \$25,000

RISK ANALYSIS

The provision of these funds will allow this community driven project to proceed with the risk that it cannot proceed without this allocation.

The funds will be allocated to the WDA, through a funding agreement, allowing them to proceed with delivery of the project. This will minimise Council officer's involvement in the delivery of the project, so an important component of the funding agreement between Council and the WDA will be an acknowledgment that all required approvals and permits must be sourced and in place prior to delivery of the project. The WDA has indicated that they have commenced this process with the relevant Council departments.

CONSULTATION AND ENGAGEMENT

The WDA undertook a thorough community consultation to develop the Wedderburn Community Plan 2015-2025. The development of this project has additionally been supported by a community committee.

10.5 RECOGNITION OF COMMUNITY PLANNING COMMITTEES

File Number: FOL/20/724
Author: Sarah Perry, Project Liaison Officer
Authoriser: Wendy Gladman, Director Community Wellbeing
Attachments: Nil

RECOMMENDATION

That Council formally recognises the groups noted in this report as the Community Planning Committees for the nominated communities.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

The establishment of an eligibility criteria to be met by community groups to accompany a request for recognition as their nominated community's Community Planning Committee was discussed at the April 2019 Council Forum and included in the Community Planning Framework (the Framework) endorsed at the November 2019 Ordinary Council Meeting.

BACKGROUND

The Framework was developed to assist communities as they develop local community plans and to formalise the relationship between the community planning committees and Council. As detailed in the Framework, community groups who are incorporated, have community planning detailed in their constitution's purpose, and who have a membership structure that allows wider community participation, are eligible to request formal recognition from Council as a community planning committee.

Following this initial transition period, access to Council's annual community planning funding program will be prioritised to those groups who have received formal recognition and who have developed their community plan consistent with the principles of the Framework. It was planned that groups would be in a position to meet the requirements of the Framework and request Council recognition by the end of 2020. Due to delays caused by COVID19 restrictions, it is more likely that the requirements to be eligible for formal recognition will now be completed by the remaining groups during and up to the end of 2021 allowing them to seek recognition from Council as community planning committees.

This report identifies those groups who are seeking formal recognition and provides a recommendation for approval based on information provided as outlined above.

ISSUES/DISCUSSION

The following groups have requested Council recognition as a community planning committee and have demonstrated that they meet the minimum requirements as detailed in the Community Planning Framework:

Community	Community planning group	Request for recognition received	Incorporated	Constitution purpose includes community planning	Open membership
Calivil	Calivil Community Planning	Yes	Yes	Yes	Yes

Dingee	Dingee Community Plan/Sub Committee of Dingee Progress Association	Yes	Yes	Yes	Yes
Inglewood	Inglewood Development and Tourism Committee	Yes	Yes	Yes	Yes
Mitiamo	Mitiamo Community Planning (Mitiamo Progress Association)	Yes	Yes	Yes	Yes
Serpentine	Serpentine Community Planning	Yes	Yes	Yes	Yes
Wedderburn	Wedderburn Development Association	Yes	Yes	Yes	Yes

Council's Community Planning Officer continues to liaise with the following communities to progress additional requests for recognition:

Boort	Bridgewater	Campbells Forest/Yarraberb
Eddington	Korong Vale	Kingower
Laanecoorie	Newbridge	Pyramid Hill
Tarnagulla	Yarrawalla	

COST/BENEFITS

Formal recognition signals to the community that the group has agreed to develop a community plan in accordance with the principles outlined in the Framework, that membership is open to community members and acknowledges that the group will be representative of their community. The community plan committee, in turn, provides the conduit for the community to represent their collective views, ideas and strategic direction to Council and beyond.

Council is considering a report at the February 2021 meeting recommending financial assistance for community planning committees in meeting administration and insurance costs.

RISK ANALYSIS

The COVID19 pandemic halted momentum early 2020 for all groups as they transitioned to meet the recognition requirements of the Framework and commence the review and/or redevelopment of their community plan. This has delayed the initial transition timeframe with the likely completion now being the end of 2021, meaning that these will not be in place for the 2021/22 application assessment and funding allocation. To ensure that no communities are disadvantaged it may be necessary to allow the 2021/22 application and assessment round to operate similar to the 2020/21 round which occurred during the transition phase and did not enforce prioritisation based on compliance with the Framework components as an assessment criterion.

CONSULTATION AND ENGAGEMENT

The requirement of a letter and details for request of formal recognition has been explained to each potential group, and followed up with written information and a template to support the process. During the initial transition period, groups were supported by a project officer for 12 months. This position has now ended, with a Community Planning Officer role now in place to provide ongoing support and guidance.

10.6 FINANCE REPORT FOR THE PERIOD ENDING 31 JANUARY 2021

File Number: 08/06/001

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Finance report for the period ending 31 January 2021

RECOMMENDATION

That Council:

1. receives and notes the 'Finance Report for the period ending 31 January 2021'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis with the exception of when changes to the Council meeting timetable result in the Council meeting occurring before the completion of the end of month finance procedures.

BACKGROUND

The Finance Report for the period ended 31 January 2021 standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the adopted 2020/21 Budget, and includes operating results, capital expenditure and funding sources.

The report this month does not provide explanation on budget timing variances as this timing work is not fully complete.

This Finance Report also includes reporting on supplementary valuations. Each year Council makes a number of additions, subtractions and alterations to the valuations contained in the annual rate book. These changes arise from various sources including:

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title

- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation corrections.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has remained steady at \$0.86M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 57% of total budget. Revenue brought to account for January was \$1.92M (December was \$0.9M).

Income Statement (expenditure) - Council's operating expenditure is at 47% of total budget. Payments for this month totalled just over \$2.51M (\$3.47M in December).

Capital Works - The approved budget for capital works is \$25.0M and is 18% complete in financial terms for the current financial year (December was 17%).

Service Areas – Appendix 3 now provides Council with a clearer picture of the net result for each service area. As further work is done on service planning and reviews throughout the year, the cost of each service will be refined.

Balance Sheet - Council has a cash total of \$26.1M with \$5.1M in general accounts. Total debtors at the end of January are \$10.57M (\$11.07M in December). Sundry debtors total \$2.29M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$93K.

COST/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed, along with an accurate representation of property valuations being reflected in Council's rating system and the distribution of rate notices for the year 2020/21.

Provision of financial reports on at least a quarterly basis is a requirement of the Local Government Act.

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget. Council's risk exposure is also increased if the rating system does not reflect the valuation changes associated with supplementary valuations as Council will not be aware of the changes, which can alter the rate revenue in the current year and in future rating years.

CONSULTATION AND ENGAGEMENT

There has been considerable consultation internally with respective managers in understanding their budget responsibilities and keeping within budgetary constraints.

Consultation with ratepayers and authorities that act on behalf of ratepayers occurs when a change to a property is required or occurs by virtue of a sale.

External engagement with the community was undertaken during the submission period of the budget, and regular reporting provides a mechanism of monitoring the financial outcomes of Council against that expectation.

LODDON SHIRE COUNCIL

FINANCE REPORT FOR PERIOD ENDING 31 JANUARY 2021



CONTENTS

INTRODUCTION

	5		
1	CASH POSITION	SURPLUS	
	5		
	1.1 Budget revisions		
	5		
2	STANDARD STATEMENT	INCOME	
	5		
	2.1 Operating revenue		
	5		
	2.1.1 Statutory fees		
	5		
	2.1.2 Non-recurrent (operating)	grants	
	5		
	2.1.3 Recurrent (capital)	grants	
	6		
	2.1.4 Non-recurrent (capital)	grants	
	6		
	2.1.5 Interest income		
	6		
	2.2 Operating expenditure		
	7		
	2.2.1 Creditors		
	7		
	2.2.2 Contractors		
	7		
	2.2.3 Payments		
	7		

2.3 Operating surplus
8

2.4 Capital expenditure
8

3 STANDARD SHEET BALANCE

8

3.1 Cash
8

3.2 Receivables
9

3.2.1 Debtors
9

3.2.2 Rates debtors
9

3.2.3 Sundry debtors
10

3.2.4 Supplementary valuations
10

3.3 Water rights
10

APPENDIX 1: STANDARD INCOME STATEMENT

11

APPENDIX 2: STANDARD CAPITAL WORKS STATEMENT

12

APPENDIX 3: NET RESULT BY SERVICE AREA

13

APPENDIX 3: NET RESULT BY SERVICE AREA (Continued)

14

APPENDIX SHEET	4:	STANDARD	BALANCE
15			
APPENDIX 5A: BOORT	COMMUNITY	PLANNING	FINANCIALS
16			
APPENDIX 5B: INGLEWOOD	COMMUNITY	PLANNING	FINANCIALS
16			
APPENDIX 5C: TARNAGULLA	COMMUNITY	PLANNING	FINANCIALS
16			
APPENDIX 5D: TERRICK	COMMUNITY	PLANNING	FINANCIALS
17			
APPENDIX 5E: WEDDERBURN	COMMUNITY	PLANNING	FINANCIALS
17			

INTRODUCTION

At the start of the financial year, Council implemented a new chart of accounts structure and as a result improvements will be gradually made to the monthly finance report to provide information in different formats to assist Councillors and the public to understand Council's current financial position.

During January 2021 work has continued on the Financial Plan (formerly known as the Long Term Financial Plan). Work has also continued on the Revenue and Rating Plan with a schedule set for key stages of the project.

The major project for the department at the present time is the Annual Budget which is commenced during late January 2021.

1 CASH SURPLUS POSITION

1.1 Budget revisions

During January 2021, there have been only minor adjustments most of which do not affect the cash position.

The cash surplus has only a minor change for income and expenditure and therefore the cash position remains at \$862,109.

Details of all major adjustments are included in the table below:

Opening Surplus (Position as at 31 December 2020)	\$ 862,109
ADJUSTMENTS	
Artly Lets Stay Connected (Grant funded project)	\$ -
Closing surplus (Position as at 31 January 2021)	\$ 862,109

2 STANDARD INCOME STATEMENT

Budget revisions are up to date and timing of the budget has been underway with work to continue in this space. Variance reporting has been included in this monthly report where variations occur within the statements of 10% or \$30,000.

2.1 Operating revenue

Total revenue brought to account for the month of January was \$1.92M. The total income received is 62% of the total revised budget income for 2020/21.

2.1.1 Statutory fees

There is an increase in activity in both the planning and building permit departments and as a result, higher than expected fee income has been raised. This accounts for almost \$80K of the overall variation.

2.1.2 Non-recurrent grants (operating)

The main variation in this area relates to the Working for Victoria program where a reduction to the expected staffing numbers has been granted. This will need a budget variation to reflect the updated grant approval amounts and invoices that have already been raised will be adjusted to suit.

2.1.3 Recurrent grants (capital)

Grant income is raised when a specific milestone is met within a project agreement. Some projects are behind expected timing and others are ahead. The main variation in this area relates to Roads to Recovery of \$1.12M with a claim invoice yet to be raised for quarter one of the year.

2.1.4 Non-recurrent grants (capital)

The main variation in this area relates to the \$1.9M grant tied to the Donaldson Park pavilion upgrade. The milestone for this project has not yet been met and as a result the invoice is still to be raised.

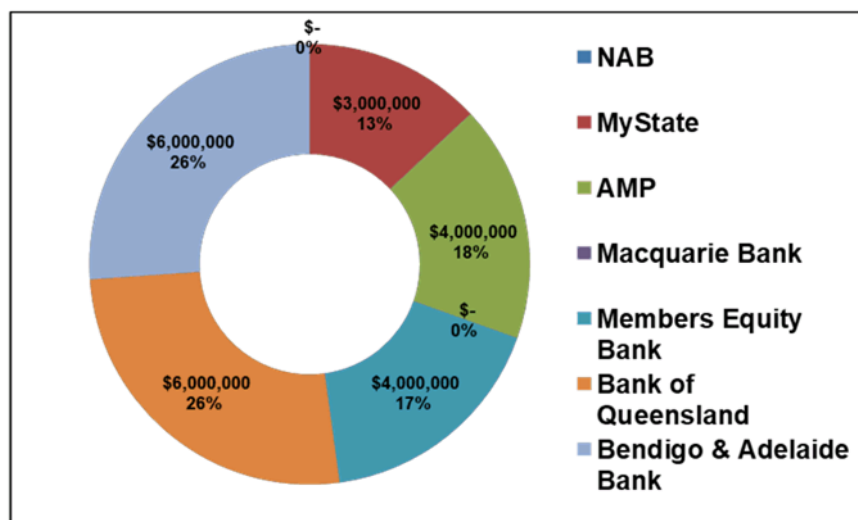
2.1.5 Interest income

Council's Investment Policy requires investment of funds with authorised deposit taking institutions rated AAA+ to BBB- with a maximum of 40% of funds at any one institution and a maximum of \$2M in any one transaction.

The total investment interest received and accrued to date is \$175K. Rates interest amounts to less than \$1K due to Council waiving interest on rates until 31 December 2020. Year to date represents 47% of the total Revised Budget amount of \$375K.

All investments are term deposits and are currently with banks which meet Council's rating standards as below:

Current investments:						
NAB	A1+AA-				\$ -	0.0%
MyState	A2/BBB+				\$ 3,000,000	13.0%
AMP	A2/BBB+				\$ 4,000,000	17.4%
Macquarie Bank	A1/A				\$ -	0.0%
Members Equity Bank	A2/BBB				\$ 4,000,000	17.4%
Bank of Queensland	A2/BBB				\$ 6,000,000	26.1%
Bendigo & Adelaide Bank	A2/BBB+				\$ 6,000,000	26.1%
Council Funds on Term Deposit					\$23,000,000	100%



The below table shows all investments for the financial year to date:

LODDON SHIRE COUNCIL INVESTMENT SCHEDULE												
Bank	Establishment date	Status	Maturity date	Term (days)	Interest rate	Investment amount	Total interest receivable on TD	Interest accrual 2019/20	YTD accrued interest	Total interest accrual	YTD interest received	Total YTD interest earned
Bendigo & Adelaide Bank	31/12/2018	Closed	N/A	N/A	1.00%	\$ 1,000,000		\$ -	\$ -	\$ -	\$ 230	\$ 230
Members Equity Bank	28/05/2020	Closed	28/07/2020	61	0.95%	\$ 2,000,000	\$ 3,175	\$ 1,718	\$ -	\$ -	\$ 1,457	\$ 1,457
Members Equity Bank	28/05/2020	Closed	26/08/2020	90	1.10%	\$ 2,000,000	\$ 5,425	\$ 1,989	\$ -	\$ -	\$ 3,436	\$ 3,436
MyState	16/03/2020	Closed	16/09/2020	184	1.75%	\$ 2,000,000	\$ 17,644	\$ 10,164	\$ -	\$ -	\$ 7,479	\$ 7,479
MyState	15/04/2020	Closed	15/10/2020	183	1.75%	\$ 2,000,000	\$ 17,548	\$ 7,288	\$ -	\$ -	\$ 10,260	\$ 10,260
MyState	17/03/2020	Closed	19/10/2020	216	1.75%	\$ 2,000,000	\$ 20,712	\$ 10,068	\$ -	\$ -	\$ 10,644	\$ 10,644
Bank of Queensland	5/05/2020	Closed	5/11/2020	184	1.45%	\$ 2,000,000	\$ 14,619	\$ 4,449	\$ -	\$ -	\$ 10,170	\$ 10,170
AMP	25/05/2020	Closed	25/11/2020	184	1.65%	\$ 2,000,000	\$ 16,636	\$ 3,255	\$ -	\$ -	\$ 13,381	\$ 13,381
Bank of Queensland	28/05/2020	Open	28/01/2021	245	1.15%	\$ 2,000,000	\$ 15,438	\$ 2,079	\$ -	\$ -	\$ 13,359	\$ 13,359
Members Equity Bank	18/05/2020	Open	18/02/2021	276	1.20%	\$ 2,000,000	\$ 18,148	\$ 2,827	\$ 14,137	\$ 16,964	\$ -	\$ 14,137
Bendigo & Adelaide Bank	26/08/2020	Open	26/02/2021	184	0.65%	\$ 2,000,000	\$ 6,553	\$ -	\$ 5,627	\$ 5,627	\$ -	\$ 5,627
Members Equity Bank	25/05/2020	Open	25/03/2021	304	1.20%	\$ 2,000,000	\$ 19,989	\$ 2,367	\$ 14,137	\$ 16,504	\$ -	\$ 14,137
Bank of Queensland	12/06/2020	Open	12/04/2021	304	1.05%	\$ 2,000,000	\$ 17,490	\$ 1,036	\$ 12,370	\$ 13,405	\$ -	\$ 12,370
AMP	5/05/2020	Open	5/05/2021	365	1.55%	\$ 2,000,000	\$ 31,000	\$ 4,756	\$ 18,260	\$ 23,016	\$ -	\$ 18,260
AMP	6/05/2020	Open	6/05/2021	365	1.55%	\$ 2,000,000	\$ 31,000	\$ 4,671	\$ 18,260	\$ 22,932	\$ -	\$ 18,260
Bank of Queensland	28/07/2020	Open	28/06/2021	335	0.85%	\$ 2,000,000	\$ 15,603	\$ -	\$ 8,710	\$ 8,710	\$ -	\$ 8,710
Bendigo & Adelaide Bank	6/10/2020	Open	2/08/2021	300	0.60%	\$ 1,000,000	\$ 4,932	\$ -	\$ 1,923	\$ 1,923	\$ -	\$ 1,923
Bendigo & Adelaide Bank	6/10/2020	Open	1/09/2021	330	0.60%	\$ 1,000,000	\$ 5,425	\$ -	\$ 1,923	\$ 1,923	\$ -	\$ 1,923
Bendigo & Adelaide Bank	19/10/2020	Open	14/09/2021	330	0.06%	\$ 2,000,000	\$ 10,849	\$ -	\$ 342	\$ 342	\$ -	\$ 342
MyState	6/10/2020	Open	6/10/2021	365	0.70%	\$ 1,000,000	\$ 7,000	\$ -	\$ 2,244	\$ 2,244	\$ -	\$ 2,244
MyState	15/10/2020	Open	15/10/2021	365	0.70%	\$ 2,000,000	\$ 14,000	\$ -	\$ 4,142	\$ 4,142	\$ -	\$ 4,142
Total Interest on Investments								\$ 56,668	\$102,076	\$117,734	\$ 70,416	\$ 172,492
Interest on General Accounts												\$ 2,788
Total Interest												\$ 175,280
Interest transferred to/from externally funded projects												\$ -
Net interest on investments												\$175,279.85

Due to the short term nature of the term deposits, those deposits which have not reached maturity are included as cash in the Balance Sheet.

2.2 Operating expenditure

Total operating expenditure for January 2021 was \$2.51M. The total expenditure for the month is 48% of the total revised budget expenditure for 2020/21.

2.2.1 Creditors

Creditors are currently at 56% of YTD Budget. The main variations where project expenditure has been delayed are:

- Bridgewater female change rooms of \$191K with the project yet to commence
- Councillor induction costs of \$40K, with process still underway
- election costs of \$120K with invoices for the work undertaken in 2020 still to be received
- various community planning projects that have not yet commenced.

2.2.2 Contractors

The main variations within the contractors expenditure relates to the timing of invoices that are received for cleaning, pool operations and waste contracts. This is expected to continue throughout the year where the invoices are not received in a timely manner for processing.

2.2.3 Payments

During the month the following payments were made:

Creditor payments - cheque	\$1,999.24
Creditor payments - electronic funds transfer	\$1,051,307.89
Payroll (2 pays)	\$613,024.91
TOTAL	\$1,666,332.04

2.3 Operating surplus

The operating surplus to date is \$2.7M compared to a revised budget deficit amount of \$5.44M.

2.4 Capital expenditure

Total capital works expenditure for January was \$184K. The total revised budget amount for 2020/21 is \$25.0M, therefore capital works are 18% complete with 50% of the year elapsed.

The main variations within capital expenditure relate to:

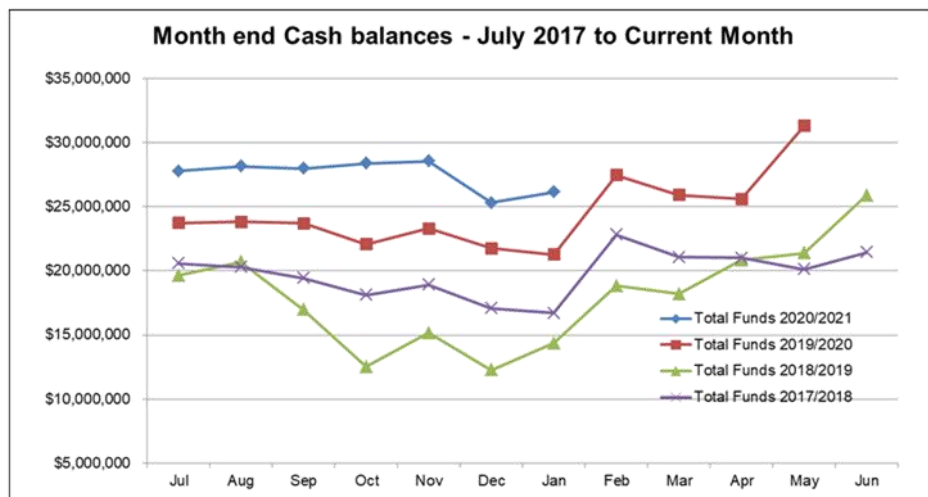
- building and property maintenance with the building asset management plan allocations now finalised and some works are underway, but others are still in the design phase
- major caravan park improvement works along with the purchase of caravan parks have a variation of \$1.18M with works commencing for the improvement program but a delay in finalisation of the sale with legislated gazetting requirements still to be completed
- various community planning projects of \$288K due to limited staff available in this department along with COVID-19 restrictions which have closed many community facilities temporarily.

3 STANDARD BALANCE SHEET

3.1 Cash

At the end of the month, Council's overall cash total was \$26.1M which includes a balance of \$5.1M in general accounts.

Month end balances for Council's cash, from July 2017 until the current month, are reflected in the following graph:



3.2 Receivables

3.2.1 Debtors

Monthly balances of the various categories of debtors for the financial year are:

Debtor category	January 2020	October 2020	November 2020	December 2020	January 2021
Rates	7,341,449	9,580,959	9,032,289	8,296,264	7,211,150
Fire Services Property Levy	838,248	1,089,739	1,025,446	944,931	830,106
Total Rates & Fire Services Property Levy	8,179,697	10,670,698	10,057,736	9,241,195	8,041,256
Sundry debtors	1,174,690	1,480,562	1,509,554	1,859,881	2,288,315
Community loans/advances	2,400	1,200	1,200	1,200	1,200
Long term loans/advances	-	-	-	-	-
Employee superannuation	5,716	5,373	2,686	(1,343)	4,597
Magistrates court fines	100,319	100,319	100,319	100,319	100,319
LESS provision for doubtful debts	(118,887)	(127,248)	(127,248)	(127,248)	(127,248)
Total	9,343,934	12,130,904	11,544,248	11,074,004	10,308,439

3.2.2 Rates debtors

Outstanding rates and Fire Services Property Levy at the end of selected months were:

	January 2020 (3/2/2020)	October 2020 (2/11/2020)	November 2020 (2/11/2020)	December 2020 (7/1/2021)	January 2021 (4/2/2021)
2006/07 to 2016/17	\$ 48,206	\$ 38,834	\$ 34,809	\$ 33,852	\$ 33,142
2006/07 to 2016/17 FSPL	\$ 7,661	\$ 6,250	\$ 5,548	\$ 5,480	\$ 5,321
2017/18	\$ 38,587	\$ 25,862	\$ 24,566	\$ 24,640	\$ 23,823
2017/18 Fire Services Property Levy	\$ 7,622	\$ 5,630	\$ 5,432	\$ 5,396	\$ 5,378
2018/19	\$ 86,632	\$ 44,878	\$ 42,180	\$ 41,552	\$ 38,805
2018/19 Fire Services Property Levy	\$ 15,684	\$ 9,109	\$ 8,866	\$ 8,696	\$ 8,184
2019/20	\$ 7,173,735	\$ 165,014	\$ 154,748	\$ 149,238	\$ 139,249
2019/20 Fire Services Property Levy	\$ 801,213	\$ 27,014	\$ 26,021	\$ 25,228	\$ 23,794
2020/21	\$ -	\$ 9,320,995	\$ 8,790,556	\$ 8,061,256	\$ 6,990,464
2020/21 Fire Services Property Levy	\$ -	\$ 1,027,113	\$ 965,009	\$ 885,858	\$ 773,095
Sub-total: arrears	\$ 8,179,339	\$10,670,698	\$10,057,736	\$ 9,241,197	\$ 8,041,256
Current year (outstanding but not due)	\$ 7,173,735	\$ 9,320,995	\$ 8,790,556	\$ 8,061,256	\$ 6,990,464
Fire Services Property Levy	\$ 801,213	\$ 1,027,113	\$ 965,009	\$ 885,858	\$ 773,095
Total outstanding	\$ 7,974,947	\$10,348,108	\$ 9,755,566	\$ 8,947,115	\$ 7,763,559
<i>Summary</i>					
Rates in arrears	\$ 173,425	\$ 274,588	\$ 256,303	\$ 249,283	\$ 235,019
FSPL in arrears	\$ 30,967	\$ 48,003	\$ 45,867	\$ 44,799	\$ 42,678
Total arrears	\$ 204,392	\$ 322,590	\$ 302,170	\$ 294,082	\$ 277,697

3.2.3 Sundry debtors

Outstanding sundry debtors at the end of the month consist of:

Current	\$95,936	29%
30 days	\$132,642	39%
60 days	\$15,056	4%
90 + days	\$92,541	28%
Sub total routine debtors	\$336,176	100%
Paid Parental Leave	\$0	
Government departments	\$1,885,942	
GST	\$66,197	
Total	\$2,288,315	
90 + days consists of:		
Community Wellbeing debtors	\$2,160	
Local community groups	\$913	
Others	\$89,469	
Total	\$92,541	

Total outstanding sundry debtors as at 31 January 2021 are \$2.29M.

The mainstream sundry debtors (\$336K) have been broken into the amount of time they have been outstanding. At the time of this report \$93K or 28% of that total has been outstanding for more than 90 days. All debtors are contacted as a matter of routine.

3.2.4 Supplementary valuations

All rateable and non-rateable supplementary valuations are included in this report.

Type	Number	Site Value Movement	Capital Improved Value Movement	NAV Value Movement
Improvement	24	\$ -	\$ 1,096,000	\$ 54,800
New Property	15	\$ 7,554,000	\$ 8,194,000	\$ 409,700
Change AVPCC	1	\$ -	\$ -	\$ -
Property Split	12	-\$ 6,604,000	-\$ 6,826,000	-\$ 341,300
Consolidation	3	\$ 36,000	\$ 36,000	\$ 1,800
TOTAL	55	\$ 986,000	\$ 2,500,000	\$ 125,000

Valuation type	1 July 2020 Revaluation	Opening Balance	Supplementary changes	Closing balance
Site Value	\$ 1,556,194,900	\$ 1,650,022,500	\$ 986,000	\$ 1,651,008,500
Capital Improved Value	\$ 2,354,772,700	\$ 2,498,221,300	\$ 2,500,000	\$ 2,500,721,300
NAV	\$ 120,800,115	\$ 128,040,155	\$ 125,000	\$ 128,165,155

There were no supplementary valuations during January 2021.

The total rateable CIV at the end of January 2021 is just over \$2.50B.

3.3 **Water rights**

Council-owned water rights were valued at \$2.98M at 30 June 2020.

The rights are revalued to market at the end of each financial year.

There have been no purchases to date this financial year, and no future purchases are budgeted for 2020/21.

APPENDIX 1: STANDARD INCOME STATEMENT

Element	2020/21 Original Budget	2020/21 Revised Budget	2020/21 YTD Revised Budget	2020/21 YTD Actuals	2020/21 YTD Percentage
Income					
69 - Statutory Fees	277,532	277,532	164,839	236,875	144%
70 - Fees & Charges	1,464,986	1,455,039	868,147	975,401	112%
71 - Contribution	100,000	490,000	52,500	70,000	133%
73 - Interest	375,200	375,200	204,169	175,343	86%
77 - Reimbursements	277,411	277,411	170,157	141,195	83%
80 - Rates	11,461,007	11,461,007	11,320,822	11,400,574	101%
81 - Non Recurrent Grants (Operating)	152,766	2,724,944	1,323,408	2,117,095	160%
82 - Recurrent Grants (Operating)	6,299,505	6,298,049	3,489,639	4,634,013	133%
83 - Recurrent Grants (Capital)	2,387,726	2,898,352	1,474,176	56,758	4%
84 - Non Recurrent Grants (Capital)	0	7,995,604	3,698,534	1,757,245	48%
90 - VicRoads	510,474	510,474	297,773	298,686	100%
Total Income	23,306,607	34,763,612	23,064,164	21,863,185	95%
Expenses					
01 - Labour	11,492,803	12,574,586	7,514,301	7,265,782	97%
04 - Creditors	8,903,914	14,114,639	8,177,652	4,563,725	56%
05 - Stores	70,286	70,286	40,999	0	0%
06 - Fuel	1,051,376	1,051,376	613,323	372,538	61%
07 - Contractors	1,797,721	1,825,060	1,058,450	759,904	72%
08 - Depreciation	9,666,789	9,666,789	5,638,941	5,638,960	100%
09 - Utilities	527,885	526,665	318,079	239,463	75%
25 - Grants Expenditure	361,400	376,354	359,273	287,368	80%
45 - Bad Debts Expense	0	0	0	7,610	0%
63 - Reversal of Impairment Losses	0	0	0	(32)	0%
Total Expenses	33,872,174	40,205,755	23,721,018	19,135,318	81%
Net Result Surplus / (Deficit)	(10,565,567)	(5,442,143)	(656,854)	2,727,867	-415%

*Income and expense items required by Australian Accounting Standards (AAS)

APPENDIX 2: STANDARD CAPITAL WORKS STATEMENT

Element	2020/21 Original Budget	2020/21 Revised Budget	2020/21 YTD Revised Budget	2020/21 YTD Actuals	2020/21 YTD Actuals
Funding Decisions					
88 - Reserves Transfer From	6,466,816	18,390,190	0	0	0%
89 - Reserves Transfer To	(2,341,772)	(2,467,116)	0	0	0%
74 - Asset Sales (Capital)	471,181	867,071	701,764	461,163	66%
Total Funding Decisions	4,596,225	16,790,145	701,764	461,163	66%
Capital Expenditure					
12 - Economic Development	0	0	0	6,400	0%
21 - Caravan Parks	7,500	2,010,437	1,172,752	148,722	13%
31 - Aged Care Services	0	0	0	3,000	0%
40 - Community Support	0	31,335	18,277	41,664	228%
41 - Community Planning - Boort	0	1,105	644	0	0%
42 - Community Planning - Inglewood	50,000	153,685	89,649	0	0%
43 - Community Planning - Tarnagulla	50,000	91,683	53,480	21,174	40%
44 - Community Planning - Terricks	50,000	20,848	12,159	2,888	24%
45 - Community Planning - Wedderburn	50,000	25,000	14,581	0	0%
47 - Grants & Community Planning	750,000	4,798,189	68,222	11,142	16%
49 - Swimming Pools	0	15,101	10,570	0	0%
65 - Information Technology	185,000	185,000	107,919	94,122	87%
71 - Council Engineering and Technical Services	0	50,000	0	0	0%
72 - Project & Contract Management	2,555,132	11,629,294	4,807,004	2,653,117	55%
73 - Roads to Recovery	2,387,726	3,180,550	1,672,086	656,031	39%
75 - Local Law s and Animal Management	0	102,121	59,570	0	0%
82 - Building & Property Maintenance	535,000	706,983	412,405	80,339	19%
84 - Fleet	522,000	1,618,140	943,915	752,062	80%
90 - Parks & Townships	100,000	90,310	52,682	9,286	18%
98 - Waterways Management	0	288,781	168,455	3,513	2%
Total Capital Expenditure	7,242,358	24,998,562	9,664,370	4,483,460	46%
Non Cash Adjustments					
08 - Depreciation	9,666,789	9,666,789	5,638,941	5,638,960	100%
45 - Bad Debts Expense	0	0	0	7,610	0%
63 - Reversal of Impairment Losses	0	0	0	(32)	0%
Total Non Cash Adjustments	9,666,789	9,666,789	5,638,941	5,646,538	100%
Accumulated surplus brought forward	3,640,629	4,845,880	0	0	100%
Net Cash Surplus / (Deficit)	95,718	862,109	(3,980,519)	4,352,108	-109%

APPENDIX 3: NET RESULT BY SERVICE AREA

Service Area	2020/21 Full Year Budget	2020/21 Total Revised Budget	2020/21 YTD Revised Budget January	2020/21 YTD Actuals January	2020/21 YTD Percentage Variance January
11 - Administration and Management	2,881,065	3,341,175	2,024,008	1,273,593	24.22%
12 - Economic Development	93,510	(65,887)	(237,731)	(333,600)	711.62%
13 - Council Administration	1,106,573	1,165,804	664,291	298,740	53.72%
14 - Library Services	216,502	216,502	162,378	154,922	-22.67%
15 - Media	0	4,000	0	7,015	-100.00%
21 - Caravan Parks	(60,165)	1,328,449	829,982	(51,195)	45.80%
22 - Loddon Discovery Tours	83	101	206	118	-180.40%
23 - Tourism	346,479	366,219	204,168	201,085	0.51%
31 - Aged Care Services	622,547	1,642,288	383,272	225,082	38.02%
32 - Elderly Persons Units	(15,795)	(16,152)	(15,243)	(7,470)	-18.97%
33 - Rural Access	25,000	145,653	84,966	622	95.74%
34 - Seniors	43,048	43,097	30,438	(7,720)	130.76%
40 - Community Support	950,577	1,200,964	779,494	560,434	-1.07%
41 - Community Planning - Boort	0	134,684	78,568	0	0.00%
42 - Community Planning - Inglewood	50,000	186,478	108,780	73	99.75%
43 - Community Planning - Tarnagulla	50,000	283,402	165,319	55,903	-91.65%
44 - Community Planning - Terricks	50,000	122,932	71,708	2,888	90.10%
45 - Community Planning - Wedderburn	50,000	258,543	150,815	13,152	54.91%
46 - Emergency Management	16,447	16,383	12,182	12,072	-25.88%
47 - Grants & Community Planning	821,891	2,273,499	(2,088,346)	130,077	72.87%
48 - Municipal Health & Wellbeing	8,500	159,522	93,058	9,809	-97.64%
49 - Swimming Pools	538,314	561,758	393,013	175,845	44.00%
50 - Maternal and Child Health	193,733	307,402	185,010	(28,033)	124.81%
51 - Early Years	148,236	426,207	181,967	(26,252)	130.36%
52 - Boort Pre School	0	(0)	(2,905)	6,588	-94220.71%
53 - Dingee Pre School	(0)	0	(5,313)	5,457	-26084.48%
54 - Inglewood Pre School	0	(0)	(9,558)	19,472	-139184.00%
55 - Pyramid Hill Pre School	0	(0)	(2,488)	5,938	-84927.43%
56 - Wedderburn Pre School	0	(0)	(2,185)	(876)	6158.14%
57 - Immunisation	0	0	0	0	0.00%
59 - Youth	6,560	14,572	8,498	(12,022)	414.55%

APPENDIX 3: NET RESULT BY SERVICE AREA (Continued)

Service Area	2020/21 Full Year Budget	2020/21 Total Revised Budget	2020/21 YTD Revised Budget January	2020/21 YTD Actuals January	2020/21 YTD Percentage Variance January
60 - Corporate Governance	166,163	333,675	231,592	62,636	25.30%
61 - Financial Services	(10,176,944)	(23,157,809)	(1,158,818)	(1,854,000)	-68.77%
62 - Rates & Property	(9,641,826)	(9,682,071)	(9,620,586)	(9,658,182)	71.72%
63 - Customer Service	293,129	293,726	190,714	145,773	14.75%
64 - Information Management	230,218	240,234	131,355	119,551	10.98%
65 - Information Technology	889,092	942,880	599,998	497,056	4.16%
66 - Human Resources & Development	728,156	820,497	459,297	229,747	45.91%
67 - Risk Management	443,711	446,921	324,752	335,736	-29.71%
71 - Council Engineering & Technical Services	231,555	349,090	196,142	82,744	38.74%
72 - Project & Contract Management	2,535,338	5,734,909	3,794,248	967,164	34.60%
73 - Roads to Recovery	0	944,007	553,814	656,031	-100.00%
74 - Building Regulation	72,870	72,985	44,712	31,315	26.35%
75 - Local Law s and Animal Management	372,730	520,373	304,416	(25,688)	111.81%
76 - Public Health	99,957	100,040	45,829	4,360	92.52%
77 - Strategic & Statutory Planning	145,483	146,557	91,451	3,526	95.85%
80 - Air Strips	9,393	9,131	5,867	1,310	76.07%
82 - Building & Property Maintenance	1,370,585	1,668,700	1,000,916	476,236	40.43%
84 - Plant and Fleet	(2,023,737)	(1,111,074)	(613,558)	(1,427,832)	20.95%
86 - Gravel Pits	(86,567)	(86,567)	(50,301)	(43,454)	-13.95%
88 - Management & Administration	512,411	512,643	305,747	300,937	-3.97%
90 - Parks & Townships	1,171,430	1,243,992	745,416	591,040	13.51%
92 - Roads	4,201,610	4,274,042	2,708,313	2,393,451	2.34%
94 - DoT Routine Maintenance Contract	(75,783)	(75,783)	(39,411)	(134,498)	204.26%
96 - Waste Management	244,353	281,569	(571,239)	(828,795)	681.47%
98 - Waterways Management	47,849	197,630	51,501	30,014	-7.57%
Grand Total	(95,718)	(862,109)	3,980,519	(4,352,108)	5445.43%

APPENDIX 4: STANDARD BALANCE SHEET

	January 2021 As per trial balance	June 2020 As per financial statements	January 2020 As per trial balance
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	\$26,339,548	\$30,326,446	\$21,482,149
Trade and other receivables	\$10,307,171	\$807,408	\$9,342,945
Financial assets	\$181,225	\$462,212	\$18,290
Inventories	\$27,291	\$26,782	\$33,770
Non-current assets classified as held for sale	\$540,076	\$540,076	\$556,091
TOTAL CURRENT ASSETS	\$37,395,311	\$32,162,924	\$31,433,245
NON-CURRENT ASSETS			
Trade and other receivables	\$1,268	\$1,268	\$2,397
Financial assets	\$275,436	\$275,336	\$788,516
Intangible assets	\$2,979,650	\$2,979,650	\$2,702,545
Property, infrastructure, plant and equipment	\$357,152,104	\$362,791,061	\$352,122,158
TOTAL NON-CURRENT ASSETS	\$360,408,458	\$366,047,315	\$355,615,616
TOTAL ASSETS	\$397,803,769	\$398,210,239	\$387,048,861
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	\$886,936	\$1,339,196	\$139,815
Trust funds and deposits	\$1,236,788	\$356,380	\$1,257,381
Provisions	\$3,082,246	\$2,622,435	\$2,295,491
Interest bearing loans and borrowings	\$0	\$0	\$0
TOTAL CURRENT LIABILITIES	\$5,205,970	\$4,318,011	\$3,692,687
NON-CURRENT LIABILITIES			
Provisions	\$1,716,013	\$1,716,013	\$1,797,418
Interest bearing loans & borrowings	\$0	\$0	\$0
TOTAL NON-CURRENT LIABILITIES	\$1,716,013	\$1,716,013	\$1,797,418
TOTAL LIABILITIES	\$6,921,983	\$6,034,024	\$5,490,105
NET ASSETS	\$390,881,787	\$392,176,215	\$381,558,757
EQUITY			
Accumulated Surplus	\$89,623,903	\$90,918,332	\$94,405,649
Asset Revaluation Reserve	\$278,439,144	\$278,439,144	\$265,442,673
Other Reserves	\$22,818,739	\$22,818,739	\$21,710,435
TOTAL EQUITY	\$390,881,787	\$392,176,215	\$381,558,757

APPENDIX 5A: COMMUNITY PLANNING FINANCIALS BOORT

Boort Community Plans					ACTUALS			BUDGET		
YEAR	LEDGER	LEDGER	JOB CODE	PROJECT	2020/21 FINANCIAL YEAR			2020/21 FINANCIAL YEAR		
					INCOME	EXPENDITURE	NET COST	INCOME	EXPENDITURE	NET COST
				Income						
				Unspent Allocation from Previous Years	\$84,684	\$0	\$84,684	\$84,684	\$0	\$84,684
				This Year's Allocation	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
				Equity Adjustment	\$0	\$0	\$0	\$0	\$0	\$0
				Movement in Wards	\$0	\$0	\$0	\$0	\$0	\$0
				Strategic Fund	\$0	\$0	\$0	\$0	\$0	\$0
				Transfer from Reserve	\$0	\$0	\$0	\$0	\$0	\$0
				Total Amount Available	\$134,684	\$0	\$134,684	\$134,684	\$0	\$134,684
2017/18	26850	2241951355XX	CP1170012241951355	Lake Boort Outdoor Furniture	\$0	\$0	\$0	\$0	\$1,105	\$1,105
				Boort Community Plans Unallocated	\$0	\$0	\$0	\$0	\$133,579	\$133,579
				Total Expenditure for the Year	\$0	\$0	\$0	\$0	\$134,684	\$134,684
				Total Amount Not Spent at the End of the Year, and Available for Next Year						\$0

APPENDIX 5B: COMMUNITY PLANNING FINANCIALS INGLEWOOD

Inglewood Community Plans					ACTUALS			BUDGET		
YEAR	LEDGER	LEDGER	JOB CODE	PROJECT	2020/21 FINANCIAL YEAR			2020/21 FINANCIAL YEAR		
					INCOME	EXPENDITURE	NET COST	INCOME	EXPENDITURE	NET COST
				Income						
				Unspent Allocation from Previous Years	\$136,478	\$0	\$136,478	\$136,478	\$0	\$136,478
				This Year's Allocation	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
				Strategic Fund	\$0	\$0	\$0	\$0	\$0	\$0
				Movement in Wards	\$0	\$0	\$0	\$0	\$0	\$0
				Equity Adjustment	\$0	\$0	\$0	\$0	\$0	\$0
				Total Amount Available	\$186,478	\$0	\$186,478	\$186,478	\$0	\$186,478
2011/12	24804	2242954315XX	CP2110012242954315	LESS Expenditure for the Year						
2019/20	26856	2242954315XX	CP2200012242954315	Bridgewater Streetscape	\$0	\$73	\$73	\$0	\$39,500	\$39,500
2020/21		2242214300XX	CP2210012242214300	Inglewood Eucy Museum Annex Alloc 2	\$0	\$0	\$0	\$0	\$81,000	\$81,000
2020/21		2242954315XX	CP2210022242954315	Bridgewater Hall Alloc 4	\$0	\$0	\$0	\$0	\$33,185	\$33,185
				Inglewood Eucy Tractor Annex	\$0	\$0	\$0	\$0	\$33,185	\$33,185
				Boort Community Plans Unallocated	\$0	\$0	\$0	\$0	-\$392	-\$392
				Total Expenditure for the Year	\$0	\$73	\$73	\$0	\$186,478	\$186,478
				Total Amount Not Spent at the End of the Year, and Available for Next Year						\$0

APPENDIX 5C: COMMUNITY PLANNING FINANCIALS TARNAGULLA

Tarnagulla Community Plans					ACTUALS			BUDGET		
YEAR	LEDGER	LEDGER	JOB CODE	PROJECT	2020/21 FINANCIAL YEAR			2020/21 FINANCIAL YEAR		
					INCOME	EXPENDITURE	NET COST	INCOME	EXPENDITURE	NET COST
				Income						
				Unspent Allocation from Previous Years	\$154,402	\$0	\$154,402	\$154,402	\$0	\$154,402
				This Year's Allocation	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
				Strategic Fund	\$79,000	\$0	\$79,000	\$79,000	\$0	\$79,000
				Movement in Wards	\$0	\$0	\$0	\$0	\$0	\$0
				Equity Adjustment	\$0	\$0	\$0	\$0	\$0	\$0
				Total Amount Available	\$283,402	\$0	\$283,402	\$283,402	\$0	\$283,402
2017/18	16858	2243218605XX	CP4170042243218605	LESS Expenditure for the Year						
2017/18	12524	2243218605XX	CP3170052243218605	Laanecoorie Boat Ramp	\$0	\$1,270	\$1,270	\$0	\$0	\$0
2018/19	17307	2243218605XX	CP3170062243218605	Newbridge Solar Bollards	\$0	\$0	\$0	\$0	\$1,234	\$1,234
2018/19	17309	2243218605XX	CP3160022243218605	Rheola Hall verandah Flood Light	\$0	\$0	\$0	\$0	\$1,533	\$1,533
2018/19	17314	2243218605XX	CP3160032243218605	Newbridge Rec Reserve BBQ Shelter	\$0	\$0	\$0	\$0	\$3,915	\$3,915
2019/20	18704	2243218605XX	CP3160042243218605	Newbridge Playground Shelter	\$0	\$10,000	\$10,000	\$0	\$10,000	\$10,000
2019/20	18706	2243218605XX	CP3190012243218605	TaCPSF Laanecoorie Hall Paint	\$0	\$0	\$0	\$0	\$20,000	\$20,000
2019/20	18707	2243218605XX	CP3190022243218605	TaCPSF Tarnagulla Community Centre Asphalt	\$0	\$0	\$0	\$0	\$50,000	\$50,000
2019/20	26856	2243959620XX	CP320002243959620	Tarnagulla Hall Solar Systems	\$0	\$21,174	\$21,174	\$0	\$21,174	\$21,174
2019/20	18708	2243218605XX	CP3200032243218605	Rheola Hall Heating and Cooling	\$0	\$13,200	\$13,200	\$0	\$13,200	\$13,200
2019/20	18709	2243218605XX	CP3200042243218605	Rheola Park Pipeline Connection	\$0	\$10,259	\$10,259	\$0	\$10,259	\$10,259
2019/20	26859	2243959620XX	CP3200082243959620	Newbridge Progress Park BBQ and Shelter	\$0	\$0	\$0	\$0	\$10,509	\$10,509
2019/20	18710	2243218605XX	CP3200052243218605	Laanecoorie Notice Board	\$0	\$0	\$0	\$0	\$2,000	\$2,000
2019/20	18711	2243218605XX	CP3200072243218605	Newbridge Notice Board	\$0	\$0	\$0	\$0	\$2,000	\$2,000
2020/21		2243218605XX	CP3210012243218605	TaCPSF Shelbourne Railway	\$0	\$0	\$0	\$0	\$1,500	\$1,500
2020/21		2243959620XX	CP3200092243959620	TaCPSF Soldiers Memorial Park Toilets	\$0	\$0	\$0	\$0	\$30,000	\$30,000
2020/21		2243218605XX	CP3200102243218605	TaCPSF Rheola Hall Restoration	\$0	\$0	\$0	\$0	\$27,500	\$27,500
2020/21		2243218605XX	CP3200112243218605	TaCPSF Laanecoorie Hall Paint Alloc 2	\$0	\$0	\$0	\$0	\$20,000	\$20,000
2020/21		2243218605XX	CP3210012243218605	Anroth Hall Tarmite Repairs	\$0	\$0	\$0	\$0	\$2,186	\$2,186
2020/21		2243959620XX	CP321002243959620	Progress Park Electric Charger Station	\$0	\$0	\$0	\$0	\$15,000	\$15,000
2020/21		2243959620XX	CP3210032243959620	Progress Park Fitness Station	\$0	\$0	\$0	\$0	\$15,000	\$15,000
				Tarnagulla Community Plans Unallocated	\$0	\$0	\$0	\$0	\$26,382	\$26,382
				Total Expenditure for the Year	\$0	\$55,903	\$55,903	\$0	\$283,402	\$283,402
				Total Amount Not Spent at the End of the Year, and Available for Next Year						\$0

APPENDIX 5D: COMMUNITY PLANNING FINANCIALS TERRICK

Terrick Community Plans				ACTUALS			BUDGET			
YEAR	LEDGER	LEDGER	JOB CODE	PROJECT	2020/21 FINANCIAL YEAR			2020/21 FINANCIAL YEAR		
					INCOME	EXPENDITURE	NET COST	INCOME	EXPENDITURE	NET COST
				Income						
				Unspent Allocation from Previous Years	\$72,932	\$0	\$72,932	\$72,932	\$0	\$72,932
				This Year's Allocation	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
				Equity Adjustment	\$0	\$0	\$0	\$0	\$0	\$0
				Strategic Fund	\$0	\$0	\$0	\$0	\$0	\$0
				Total Amount Available	\$122,932	\$0	\$122,932	\$122,932	\$0	\$122,932
				LESS Expenditure for the Year						
2010/11	16270	2244218665XX	CP4100012244218665	Pyramid Hill Rural Water Community Areas	\$0	\$0	\$0	\$0	\$7,091	\$7,091
2017/18	26840	2244958680XX	CP4170012244958680	Pyramid Hill Memorial Hall Power Upgrade	\$0	\$2,273	\$2,273	\$0	\$2,273	\$2,273
2018/19	18352	2244218665XX	CP4180022244218665	Dingee EPU Feasibility Study	\$0	\$0	\$0	\$0	\$12,000	\$12,000
2018/19	27907	2244958680XX	CP4160012244958680	P/H Lions Park Redevelopment	\$0	\$0	\$615	\$0	\$18,575	\$18,575
2019/20	18712	2244218665XX	CP4200012244218665	Misamo Sporting Rooms Flood Upgrade	\$0	\$0	\$0	\$0	\$10,000	\$10,000
2019/20	18713	2244218665XX	CP4200022244218665	Dingee Memorial Hall Toilet	\$0	\$0	\$0	\$0	\$20,000	\$20,000
2020/21		2244218665XX	CP4210012244218665	Calhill Roc BBQ & Shelter	\$0	\$0	\$0	\$0	\$35,000	\$35,000
2020/21		2244218665XX	CP4210022244218665	Dingee Hall Disabled Toilet	\$0	\$0	\$0	\$0	\$14,388	\$14,388
2020/21		2244218665XX	CP4210032244218665	East Loddon Community Centre Elec Wiring	\$0	\$0	\$0	\$0	\$3,605	\$3,605
CURRENT				Terrick Community Plans Unallocated	\$0	\$0	\$0	\$0	\$0	\$0
				Total Expenditure for the Year	\$0	\$2,273	\$2,888	\$0	\$122,932	\$122,932
				Total Amount Not Spent at the End of the Year, and Available for Next Year			\$120,044			\$0

APPENDIX 5E: COMMUNITY PLANNING FINANCIALS WEDDERBURN

Wedderburn Community Plans				ACTUALS			BUDGET			
YEAR	LEDGER	LEDGER	JOB CODE	PROJECT	2020/21 FINANCIAL YEAR			2020/21 FINANCIAL YEAR		
					INCOME	EXPENDITURE	NET COST	INCOME	EXPENDITURE	NET COST
				Income						
				Unspent Allocation from Previous Years	\$208,543	\$0	\$208,543	\$208,543	\$0	\$208,543
				This Year's Allocation	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
				Equity Adjustment	\$0	\$0	\$0	\$0	\$0	\$0
				Movement in Wards	\$0	\$0	\$0	\$0	\$0	\$0
				Strategic Fund	\$0	\$0	\$0	\$0	\$0	\$0
				Total Amount Available	\$258,543	\$0	\$258,543	\$258,543	\$0	\$258,543
				Expenditure						
2018/17	18912	2245219490XX	CP5160012245219490	Wedderburn Town Entry	\$0	\$13,152	\$13,152	\$0	\$33,310	\$33,310
2018/17	18913	2245219490XX	CP5160022245219490	Wedderburn Caravan Park	\$0	\$0	\$0	\$0	\$50,000	\$50,000
2018/19	27909	2245950500XX	CP5160012245950500	Wedderburn Caravan Park Redevelopment	\$0	\$0	\$0	\$0	\$25,000	\$25,000
CURRENT				Wedderburn Community Plans Unallocated	\$0	\$0	\$0	\$0	\$150,233	\$150,233
				Total Expenditure for the Year	\$0	\$13,152	\$13,152	\$0	\$258,543	\$258,543
				Total Amount Not Spent at the End of the Year, and Available for Next Year			\$245,391			\$0

10.7 COMMUNITY SUPPORT POLICY

File Number: FOL/19/101
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That:

1. the Community Support Policy be amended to provide for the reimbursement of:
 - (a) administrative costs as outlined in the cost/benefit section of this report
 - (b) insurance costs as outlined in the cost/benefit section of this report
2. the financial impact of the amendment to the Community Support Policy be funded from surplus.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

This matter was discussed at the Council forum on 9 February 2021.

BACKGROUND**Community Support Policy**

In May 2019 Council discussed a number of aspects of the Community Support Policy, including the existing allocations to tourism, development and progress associations. As the name suggests, the purpose of these groups is to promote their towns/areas. This sometimes involves running events.

At the time, Councillors indicated their support for the continuation of allocations for operational costs for these groups on an annual basis. Councillors also indicated that it was not supportive of the introduction of a simple annual application process for operational funding.

Section 86 committees

As part of the response to the Local Government Act 2020 (the Act), Council needed to re-establish committees that manage Council assets.

Under the Local Government Act 1989 (the old Act), section 86 committees included a number of committees whose purpose was tourism, development or progress in addition to asset management. The tourism, development, progress parts of these committees could not be accommodated under the provisions of section 65 of the new Act so new arrangements need to be put in place. Many of the committees are either transitioning to or have transitioned to incorporated associations.

It was suggested by Council officers at the January forum that Council financially support these groups to meet the costs of insurance given the involvement the groups have with the Shire and the positive contribution they make to the achievement of Council's vision for the Shire. This report outlines how this support can be provided, and incorporated into the revised Community Support Policy.

Community planning committees

In addition, community planning committees are currently being established and will in future be formally recognised by Council. The purpose of these groups is to develop community plans for their towns/areas. This planning assists Council with understanding needs and wishes of the community and feeds into Council's vision and Council Plan. In some instances, the tourism and development or progress groups incorporate community planning into their purpose, but some are stand-alone groups and are not currently receiving similar assistance from Council. These groups are generally not involved in the managing of projects or running of events.

ISSUES/DISCUSSION

Allocations for administration costs

Council currently allocates a sum to most tourism, development, progress groups. Currently this sum assists local tourism, development and progress associations to cover administration expenses such as printing and postage and costs associated with marketing and promoting of the area/township.

After a review of current administration costs, it is apparent that expenditure has shifted from printing and postage to statutory fees. Current administration costs are:

Description	Cost
Incorporation (one off)	\$37 (model rules); \$214.70 (own rules)
Lodge annual statement with Consumer Affairs Victoria (Tier 1)	\$59.20
Printing, postage, marketing and promotion	Variable based on community represented

The following table lists the groups under consideration in this report, including existing allocations and proposed allocations for administration:

Current tourism, development, progress groups	Status	Existing allocation	Proposed allocation - ADMINISTRATION
Boort Tourism Development	Former section 86	\$500	\$500
Bridgewater on Loddon Development	Former section 86	\$500	\$500
Dingee Progress Association Committee of Management	Former section 86	\$200	\$200
Inglewood Development and Tourism Committee		\$500	\$500
Loddon Southern Tourism and Development	Former section 86	\$500	\$500
Mitiamo Progress Association		\$200	\$200
Pyramid Hill Progress Association		\$500	\$500
Wedderburn Development Association		\$500	\$500
Wedderburn Tourism	Former section 86	\$500	\$500
Subtotal for existing allocations		\$3900.00	

Kingover Development and Tourism	Former section 86	Nil	\$200
Community planning groups (n=9)			\$2100
Subtotal including new allocations			\$6200.00

Allocation for insurance costs

Committees have been in various situations in relation to insurance costs – from being considered part of Council and therefore covered by Council insurance to being separately incorporated and therefore required to maintain appropriate levels of insurance, with or without an allocation from Council.

The following table lists the various types of insurance available for incorporated bodies, the purpose of the insurance, the estimated cost of the insurance and the suggested allocation of funds from Council to relevant incorporated association:

Insurance type	Purpose	Estimated cost	Suggested allocation - INSURANCE
Associations and officials	Protects association and committee members, officials and officers against claims made against it/them jointly or individually arising from any 'wrongful act' committed or allegedly committed by it/them in its/their capacity as an association or an officer of the association. This can occur through a breach of duty, breach of power of authority or misleading statement. This is in addition to the protection they are afforded through incorporation.	\$412.50	\$412.50

Public liability	<p>Association needs this if it:</p> <ul style="list-style-type: none"> • works with volunteers/members, clients or customers in public spaces • visits or uses spaces owned or controlled by others • has visitors to its premises • manufactures/makes products 	\$637.26	\$637.26
Volunteer workers	<p>Provides members with financial compensation for personal injury sustained when undertaking an activity on behalf of organisation in an official capacity.</p> <p>It will not provide cover where the person injured is not working in an official capacity on association's behalf. The cover triggers on injury only while person is performing the volunteer work — so they need to be working for association in a recognised capacity helping to run the organisations activities.</p>	\$412.50	Nil – unlikely to require due to the nature of the associations in this report
Festival	Covers association if sued by a member of the public because they were injured or sustained property damage whilst attending an event organised by organisation.	\$1010.35	Nil – separate funding to be sought when event planned.
Total		\$2472.61	\$1049.76

The nature of the abovementioned groups suggests that 'associations and officials' insurance is the most appropriate cover. On this basis it is suggested that Council support the cost of obtaining this insurance as a minimum for all groups. In addition, the community planning groups are more likely to also need public liability insurance.

Accordingly, the recommended allocation per group would be up to \$1,050 per annum to cover insurance. There are ten tourism groups and nine planning groups that would be covered by these insurance allocations.

COST/BENEFITS

The final cost to Council is subject to Council's deliberation on the insurance coverage required by the relevant incorporated associations.

The benefit of allocating funds to the relevant incorporated associations is that Council will continue to receive the benefit of the efforts of the relevant incorporated associations at a modest cost to Council.

Current tourism, development, progress groups	Proposed allocation - ADMINISTRATION	Proposed allocation - INSURANCE	Total
Boort Tourism Development	\$500	\$1,050	1,550
Bridgewater on Loddon Development	\$500	\$1,050	1,550
Dingee Progress Association Committee of Management	\$200	\$1,050	1,250
Inglewood Development and Tourism Committee	\$500	\$1,050	1,550
Loddon Southern Tourism and Development	\$500	\$1,050	1,550
Mitiamo Progress Association	\$200	\$1,050	1,250
Pyramid Hill Progress Association	\$500	\$1,050	1,550
Wedderburn Development Association	\$500	\$1,050	1,550
Wedderburn Tourism	\$500	\$1,050	1,550
Kingower Development and Tourism	\$200	\$1,050	1,250
Community planning groups (n=9)	\$200 to \$500 per approved group depending upon size of community	\$1,050 per approved group	Between \$1,250 and \$1,550 per approved group
Total	\$6,200	\$19,950	\$26,150
Less current cost to Council	-\$3,900	0	-\$3,900
Net cost to Council	\$2,300	\$19,950	\$22,250

RISK ANALYSIS

There is a risk that other groups will seek similar funding however this will be managed by limiting the funds to existing groups and others by approval of Council.

CONSULTATION AND ENGAGEMENT

Various Council staff have been involved in developing this report.

10.8 VERSION 2 OF THE COMMUNITY ENGAGEMENT POLICY PROPOSED FOR ADOPTION

File Number: fol/19/101

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Version 2 of the Community Engagement Policy proposed for adoption

RECOMMENDATION

That Council:

1. adopt the Community Engagement Policy
2. approve the cost of the design and printing of a community version of the policy and
3. consider a business case for the resourcing of the implementation of the policy.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

This policy was discussed at the Council forum on 12 January 2021.

BACKGROUND

Version 1 of this policy was adopted at the Council meeting on 28 May 2019.

ISSUES/DISCUSSION

Section 55(1) of the Local Government Act 2020 (the Act) states that a Council must adopt and maintain a community engagement policy, which must (section 55(2)):

- a) be developed in consultation with the municipal community; and
- b) give effect to the community engagement principles; and
- c) be capable of being applied to the making of the Council's local laws; and
- d) be capable of being applied in relation to the Council's budget and policy development; and
- e) describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required; and
- f) specify a process for informing the municipal community of the outcome of the community engagement; and
- g) include deliberative engagement practices which must include and address any matters prescribed by the regulations for the purposes of this paragraph and be capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan; and
- h) include any other matters prescribed by the regulations.

The community engagement policy must be adopted on or before 1 March 2021.

Section 56 sets out the community engagement principles mentioned in section 55(2)(b) above.

The following are the community engagement principles—

- a) a community engagement process must have a clearly defined objective and scope;
- b) participants in community engagement must have access to objective, relevant and timely information to inform their participation;
- c) participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;
- d) participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
- e) participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

Attached is a draft of version 2 of the Community Engagement Policy following public comment.

COST/BENEFITS

The costs associated with the implementation of this policy are operational. However, the Community Reference Group has suggested that the policy be formatted in a way that improves readability and attractiveness, and encourages the community to become involved in community engagement. An estimate for the artwork for this type of product is \$400 with printing additional depending upon the quantity.

RISK ANALYSIS

There is a risk that there will be insufficient budget to fund activities associated with the policy. This risk will be managed by obtaining quotes, identifying a funding source and seeking approval for expenditure.

CONSULTATION AND ENGAGEMENT

Consultation has occurred with relevant stakeholders.

In response to 55(2) Council undertook consultation (mostly during the pandemic lockdown) with the municipal community by:

- developing and distributing an information flyer
- conducting a webinar on 22 June 2020
- establishing a dedicated Facebook page - The Loddon Project which has 151 members
- conducting a Facebook live event on 23 June
- conducting a survey to understand how the community wants to engage
- emailing community groups information on how to get involved
- releasing media and Facebook posts to encourage participation and provide information
- creating a dedicated internet page
- establishing a community reference group to assist with reviewing documents and being involved in deliberative engagement
- circulated the policy for comment and feedback from key internal stakeholders
- conducting a community reference group consultation session to obtain feedback on the draft of version 2 of the Community Engagement Policy and Procedure
- seeking public comment 29 January to 12 February 2021.

Council received public comment from two individuals and the community reference group. Their feedback has been incorporated into the proposed policy attached to this report.



COMMUNITY ENGAGEMENT POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Director Corporate Services
INTERNAL COMMITTEE ENDORSEMENT:	MEG
APPROVED BY:	Council
DATE ADOPTED:	
VERSION NUMBER:	2
REVIEW DATE:	<u>+6 months</u>
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	<p>Integrated Strategic Planning and Reporting Framework Community Engagement Procedure Project Management Framework Risk Management Policy Media and Social Media Policy Media Procedure Social Media Procedure Government Stakeholder Engagement Policy and Procedure Community Engagement Procedure</p>
RELATED LEGISLATION:	<p>Local Government Act 2020 Victorian Charter of Human Rights and Responsibilities Act 2006 Planning and Environment Act 2007 Public Health and Wellbeing Act 2008 Public Participation in Government Decision-making: Better Practice Guide (January 2015), VAGO Public Participation and Community Engagement: Local Government Sector (May 2017), VAGO Public Participation in Government Decision-Making (May 2017), VAGO The Commonwealth of Australia Constitution Act 1900 High Court of Australia Act 1979 Victorian Civil and Administrative Tribunal Act 1998 Supreme Court Act 1986 Freedom of Information Act 1982 Ombudsman Act 1973</p>

EVIDENCE OF APPROVAL:

Signed by Chief Executive Officer



COMMUNITY ENGAGEMENT POLICY

FILE LOCATION: K:\EXECUTIVE\Strategies policies and procedures\Policies - adopted PDF and Word\POL Community Engagement Policy v1.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

ACKNOWLEDGEMENT OF COUNTRY

Loddon Shire Council acknowledges the Traditional Custodians of the land comprising the Loddon Shire Council area. Council would like to pay respect to their Elders both past and present.



COMMUNITY ENGAGEMENT POLICY

1 PURPOSE

The purpose of this policy is to build Council's relationship with communities and stakeholders, promote transparent and informed decision making and increase the communities understanding of the roles and responsibilities of Council.

2 Objective

The objective of this policy ~~will be to conduct~~ is to guide good quality community engagement that will lead to:

- Council and the community working together to address local issues
- increased level of community ownership and acceptance of decisions impacting people living and or working within the municipality
- increased awareness across Council of community views and the issues that should be considered as part of the decision making process
- increasing the capacity of the community to participate in decision making
- building social capital and democratic processes
- establishing clear goals on services and assets valued by the community.

3 THE LODDON CONTEXT

Council's community engagement approach is underpinned by Council's vision for the Loddon Shire to be a prosperous, vibrant and engaged community.

Quality community engagement practice is embedded and supported through Council's values of:

- Leadership
- Respect
- Integrity
- Accountability
- Impartiality

4 BACKGROUND

In March 2020, the Victorian Government passed the Local Government Act 2020 (the Act). The Act focuses on improving 5 key areas of local government:

- improved service delivery
- improved Councillor conduct
- stronger local democracy
- community confidence
- new relationships.

Under the Act, Council's role in providing good governance for the benefit and wellbeing of the municipal community is supported by several principles including ~~the~~ governance principles, community engagement principles, public transparency principles, strategic planning principles, financial management principles and service performance principles. Community engagement is seen as an integral part of enhancing local democracy and providing an opportunity for residents and ratepayers to have a say in decisions that affect them.

The Act also requires Council's to use deliberative engagement practices to develop its Community Vision, Council Plan, Financial Plan and Asset Plan. Deliberative engagement practices promote



COMMUNITY ENGAGEMENT POLICY

more in-depth engagement that promotes participants working together to reach a common or consensus view. Deliberative engagement is explored in more depth in section 6.2 of this policy.

To promote good community engagement practice section 55 of the Act provides all Victorian Councils must adopt a Community Engagement Policy that:

- is developed in consultation with its community
- gives effect to community engagement principles outlined in the Act
- is capable of being applied to local laws, budget and policy development
- describes the type and form of engagement proposed having regard to significance, complexity of the subject matter and the level of resources available to the Council
- specifies processes for informing community of outcome of engagement
- includes deliberative engagement practices addressing any matters required by legislation

Section 56 of the Act outlines community engagement principles. The principles provide that community engagement activities must: have a clearly defined objective and scope

- provide participants in community engagement must have access to objective, relevant and timely information to inform their participation
- endeavour to ensure participants in community engagement are representative of ~~the~~ persons and groups affected by the matter that is the subject of the community engagement
- provide reasonable support to enable meaningful and informed engagement by participants
- inform participants of the ways in which the community engagement process will influence Council decision making.

The Victorian Charter of Human Rights and Responsibilities Act 2006 (the VCHRR Act) provides further requirements that relate to community engagement by stating “every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives” (s.18). The VCHRR Act also includes provisions by which “every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Victoria” (s.15).

In more recent years, the Essential Services Commission has increased the emphasis upon community engagement by requiring that an application for a rate variation be supported by evidence of how the views of ratepayers and the community have been considered in proposing a higher cap.

5 SCOPE

This policy applies to all facets of Council's operations including corporate, land use, financial planning, health and wellbeing and our ~~day-to-day~~day-to-day business activities.

It defines the approach underpinning Council's engagement activities, the role of ~~C~~councillors and staff ~~when~~in engaging with the community, and the mechanisms which Council will use to engage the community.

This policy is not intended to restrict staff or Councillors ~~in~~in engaging with the community in informal settings but provides ~~s~~s a structural framework for undertaking formal community engagement.

This policy applies to Councillors, all Council officers, volunteers, consultants and contractors associated with Council and should be used to inform all formal stages of a community engagement process.



COMMUNITY ENGAGEMENT POLICY

6 POLICY

Council is committed to working with the community and considers community engagement an essential element of good governance.

This policy supports Council's goal of being a high-performance organisation. The policy establishes community engagement as a driver for sound decision making and being a customer focused organisation.

6.1 What is community engagement?

Community engagement is an ongoing dialogue with our community to identify civic issues and opportunities and assist Council with planning and informed decision making.

The feedback and input from community engagement promotes:

- transparency in decision making
- relationship building with communities and stakeholders
- increase community and stakeholder capacity to understand issues facing Council.

Council acknowledges and adheres to the Community Engagement Principles contained in section 56 of the Act and are outlined in section 4 of this policy. The principles guide community engagement practices and processes that have a clearly defined objective, are informed, representative, supported and open.

6.2 What is deliberative engagement?

Deliberative engagement is a more in-depth form of engagement that promotes meaningful and representative community engagement practices. Deliberative engagement is not a 'level of engagement' considered in section 6.4. It is an approach to engagement that occurs when participants are provided with a specific matter to consider, are informed, supported, and given sufficient time to consider relevant information. Deliberative engagement can sit across ~~the~~ three levels of engagement: involve, collaborate, and empower.

Deliberative engagement practices are:

- informed
- transparent
- provide an opportunity to weigh and balance priorities and options
- timely
- representative
- work together to reach a common or representative view.

Under the Act Councils use deliberative engagement practices to develop its:

- Community Vision
- Council Plan
- Financial Plan and
- Asset Plan

Community engagement for other plans, strategies or projects may also use deliberative engagement practices depending on what engagement activity would suit a particular project. This will be explored further in section 6.4 of this policy.



COMMUNITY ENGAGEMENT POLICY

If deliberative engagement practices are chosen, Council may refer the project to the Community Reference Group ~~for consideration~~ to consider, deliberate, make recommendations, and advise Council in accordance with paragraph 6.2.1.

6.2.1 Community Reference Group

Council may refer a project to a Community Reference Group (CRG) to consider, deliberate, make recommendations, and advise on matters referred to them by Council.

To form their recommendations or advice the CRG will:

- consider engagement feedback received in the first and broad phase of community engagement
- be informed by Council officers as to Council roles and responsibilities, legislative requirements, community priorities, funding constraints and any other relevant information
- have access to other relevant information to inform their recommendations
- work together to form and provide recommendations or advice regarding the matter referred to them by Council
- complement other community engagement activities and enhance communication between Council and the community.

6.3 When will ~~we~~ Council engage?

Council will engage with the community:

- where there is a proposed change to Council activities or strategic direction which may significantly affect the community in terms of the economy, lifestyle, environment, wellbeing or amenity of the municipality
- when developing new or reviewing existing policies, strategies community plans or plans.
- when introducing a new service or discontinuing an existing service that may significantly affect how services are provided
- where there is a proposal for changing the way in which a public space looks, is named, is used or enjoyed
- when the community raises an issue with Council for a decision (or outcome) and there are likely to be competing community interests
- when staff are planning and developing major projects and capital works, including public buildings or other infrastructure
- when developing or redeveloping proposals such as structural plans that may significantly alter the existing amenity or characteristics of a geographical area
- where there is any circumstance where Council needs more information or evidence to make an informed decision
- where there is a history associated with the project or issue that may impact on the current situation
- if there is a possibility the project or issue may have the potential to become highly politicised
- when it is required by the Act for example:
 - Council's local laws
 - Council's budget
 - Council policy development
 - the purchase or compulsory acquisition of land
 - the sale or exchange of land
 - the lease of land
- pursuant to Section 223 of the Local Government Act 1989 (which is continuing for the foreseeable future) in relation to ~~for~~ the following matters:



COMMUNITY ENGAGEMENT POLICY

- section 157(5) – council decision to change system of valuation
- sections 163A and 166(4) – special rates
- section 169(1C) – rebates and concessions
- section 179 – Regional Library agreements
- section 199 – concentration or diversion of drainage
- section 200 – drainage of land
- section 207A – a range of traffic and road related matters
- When required by other legislation, for example including:
 - the Planning and Environment Act 1987
 - the Disability Discrimination Act 1992
 - the Racial Discrimination Act 1975
 - the Sex Discrimination Act 1984
 - the Age Discrimination Act 2004
 - the Emergency Management Act 2013
 - the Human Rights and Equal Opportunity Commission Act 1986
 - the Road Management Act 2004.

6.3.1 When will may Council we not engage?

Council may not engage with the community when:

- when a decision has already been made by Council
- when decisions must be made immediately by Council
- when legislation or other restriction/s prevent Council from engaging with the community
- when changes to services or programs will not significantly impact on the community.

6.4 Level of engagement

Not all Council projects will require the same level of engagement. The level of engagement refers to what objective Council has for in-engaging with the community and what impact community feedback will have on decision making. Council has identified 5 levels of engagement based on the IAP2 (International Association for Public Participation) public participation framework. The levels of engagement are illustrated below;



COMMUNITY ENGAGEMENT POLICY

	<u>Inform</u>	<u>Consult</u>	<u>Involve</u>	<u>Collaborate</u>	<u>Empower</u>
<u>Public participation goal</u>	<u>To provide the public with balance and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.</u>	<u>To obtain public feedback on analysis, alternatives and/or decisions.</u>	<u>To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</u>	<u>To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.</u>	<u>To place final decision making in the hands of the public.</u>
<u>Promise to the public</u>	<u>We will keep you informed</u>	<u>We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influence the decision.</u>	<u>We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</u>	<u>We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decision to the maximum extent possible.</u>	<u>We will implement what you decide.</u>

Source: IAP2 Spectrum of Public Participation.

When considering what level of engagement will be appropriate for a Council project, Council officers will consider the following seven factors:

- complexity
- stakeholders
- community sentiment
- risk
- level of influence
- legislative requirement
- resources.

Councillors input may be sought on what level of engagement is required for high impact and broad-based projects.



COMMUNITY ENGAGEMENT POLICY

6.5 Who to engage?

When planning and delivering a community engagement activity, a stakeholder analysis will help staff identify and classify stakeholders important to a project. Stakeholders are those within the community that will be affected by ~~the any decision made under consideration~~ by Council relating to the activity. They may include community members, residents, a particular demographic within the Council area, community organisations, Council representatives, user representative groups, sport and recreation groups, cultural organisations, interest and lobby groups, business, government, or media.

Staff must consider including existing reference groups and/or advisory committees currently mandated to work with Council on the subject of the engagement activity. Tools to assist staff on whom to engage are to be found in the Community Engagement Procedure.

6.6 Engagement planning

Council will prepare an engagement plan for Council projects that require community engagement. The planning will include:

- an outline of the staff responsible for the project
- stakeholders who have an interest in, or are impacted by the project
- the duration of the project
- background information
- description of the engagement exercise
- objectives
- key questions to ask the community and messages to inform the community
- the level of engagement identified for the project
- whether the project requires a deliberative engagement approach
- what engagement activities will be used.

6.7 Closing the loop

Council will close the loop with ~~participants-persons involved in the of~~ community engagement activity-stakeholders and the broader community by advising them of the outcome of any community engagement, and how their feedback was used in the decision making process.

This feedback can be delivered through a variety of mechanisms that are best suited to the stakeholders identified in the planning phase including-Communication might occur through Council's website, social media, direct mail, email or media release.

6.8 Responsibilities for community engagement

Community engagement is the responsibility of all Council service areas, teams, and officers as appropriate to their role and function. The effective application of principles and processes outlined in this policy is the responsibility of line management for the relevant project. Responsibilities of staff are outlined in the Community Engagement Procedure.

Failure to comply with this policy could adversely affect the reputation of Council and impact on:

- the timeliness and quality of service delivery
- the potential for Council to obtain a rate variation should it apply
- the intended outcomes for the community.



COMMUNITY ENGAGEMENT POLICY

6.9 How we monitor and evaluate

Each engagement activity will be monitored and evaluated in accordance with Council's Community Engagement Procedure. The monitoring, evaluation and review of each project will ensure continuous improvement in relation to Council's approach to community engagement.

7 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
cCommunity	All residents, ratepayers, landowners and members of the general public including individuals, groups, visitors, organisations, user groups and businesses.
cCommunication	A two-way process of reaching mutual understanding, in which participants exchange information, news, ideas and feelings. In general, communication is a means of connecting people or places.
cCommunity consultation	Relates to the tools and practices used by Council to enable public involvement in decisions and actions that shape the community.
cCommunity engagement	An ongoing dialogue with our community to identify civic issues and opportunities, assist with planning and informed decision making.
cCommunity Engagement pPlan	A document that outlines the process by which the organisation involves people who may be affected by the decisions it makes or can influence the implementation of its decisions. The plan outlines a detailed future course of action aimed at achieving specific goals within a timeframe. It should also identify roles and responsibilities along with resources that are required by Council.
dDeliberative engagement	Deliberative engagement is meaningful and representative community engagement where participants are informed, supported, and given sufficient time to consider relevant information, critically assess it and develop a recommendation or advice together.
Community Rreference Ggroup	A group of community members, who are representative of the affected cohort of Loddon Shire Council residents who come together to deliberate make recommendations or provide advice on a matter referred to them by Council.
IAP2 Public Participation Spectrum	A framework to help define the public's role in any public participation process. It clearly shows the differing levels of participation that are required, depending on the goals, timeframes, resources and levels of concern or interest in the decision to be made.
sStakeholders	Those who are directly or indirectly affected and may have an interest or an ability to influence an outcome.

8 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.



COMMUNITY ENGAGEMENT POLICY

9 REVIEW

The Director Corporate Services will review this policy for any necessary amendments no later than ~~2 years~~ 6 months after adoption of this current version.

10.9 VERSION 5 OF COUNCILLOR CODE OF CONDUCT PROPOSED FOR ADOPTION

File Number: fol/19/101

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Version 5 of the Councillor Code of Conduct proposed for adoption

RECOMMENDATION

That Council adopt version 5 of the Councillor Code of Conduct.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

The Councillor Code of Conduct (Code) was discussed at the January 2021 forum and the February briefing.

BACKGROUND

Section 139 of the *Local Government Act 2020* (2020 Act) replaces section 76C of the *Local Government Act 1989*.

Section 139(3) of the Act states that a Code:

- a) must include the *standards of conduct* prescribed by the regulations expected to be observed by Councillors; and
- b) must include any provisions prescribed by the regulations for the purpose of this section; and
- c) must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and
- d) may include any other matters which the Council considers appropriate, other than any other standards of conduct.

Councils must adopt a Code that meets the requirements of the *Act* within four months of the general election (held on 24 October 2020), that is, before 24 February 2021. In the interim the existing code continues to operate.

ISSUES/DISCUSSION

Version 5 of the Code is based on a better practice version promoted by Local Government Victoria. Following a period of public comment a number of edits have been made to the Code. The edited version is attached and recommended for adoption.

Council received public comment from three individuals. The feedback received has largely been incorporated into the final version 5 attached to this report. Councillors have received a copy of all feedback in the February Councillor Briefing.

COST/BENEFITS

No provision is made in the annual budget for costs associated with managing the Code. The benefit of having a Code is setting clear expectations, and establishing clear processes for the management of councillor conduct and compliance with the 2020 Act.

RISK ANALYSIS

The risk of non-compliance with section 139 of the 2020 Act is addressed with the adoption of a Code consistent with the requirements of the Act.

CONSULTATION AND ENGAGEMENT

There is no deliberative engagement requirement for the Councillor Code of Conduct under the 2020 Act however a short period for public comment was undertaken between 29 January and 12 February 2021 to provide an opportunity for the public to provide feedback on the draft Code.

LODDON SHIRE COUNCIL

COUNCILLOR CODE OF CONDUCT



DOCUMENT INFORMATION

DOCUMENT TYPE: Strategic document

DOCUMENT STATUS: Draft

POLICY OWNER POSITION: Chief Executive Officer

INTERNAL COMMITTEE ENDORSEMENT: Not applicable

APPROVED BY: Council

DATE ADOPTED:

VERSION NUMBER: 5

REVIEW DATE:

DATE RESCINDED:

RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES: Councillor Expenses and Support Policy
Gift Policy

RELATED LEGISLATION: Local Government Act 2020
Local Government (Governance and Integrity) Regulations 2020
Charter of Human Rights and Responsibilities Act 2006
Equal Opportunity Act 2010

EVIDENCE OF APPROVAL:

Signed by Chief Executive Officer

FILE LOCATION: K:\EXECUTIVE\Strategies policies and procedures\Strategies - adopted PDF and Word\STR COUNCILLOR CODE OF CONDUCT v4.docx

Strategic documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the Loddon Shire Internet to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

Contents

1	PURPOSE	5
2	BUDGET IMPLICATIONS	5
3	RISK ANALYSIS	5
4	INTRODUCTION	5
5	COMMITMENT	5
6	KEY ROLES AND RESPONSIBILITIES	7
	6.1 Roles	7
	6.2 Councillor / Organisation Relationship	8
	6.3 Role of a Councillor	8
	6.4 Role of the Mayor	9
	6.5 Role of the Deputy Mayor	10
	6.6 Role of the Chief Executive Officer	10
7	VALUES AND BEHAVIOURS	11
	7.1 Values	11
	7.2 Behaviours	11
8	STANDARDS OF CONDUCT	12
	8.1 Standard 1: Treatment of others	12
	8.2 Standard 2: Performing the role of Councillor	13
	8.3 Standard 3: Compliance with good governance measures	13
	8.4 Standard 4: Councillor must not discredit or mislead Council or public	14
	8.5 Standard 5: Standards do not limit robust political debate	14
9	SPECIFIC COUNCILLOR CONDUCT OBLIGATIONS	15
	9.1 Communication and Decision Making	15
	9.2 Gifts, Benefits or Hospitality	15
	9.3 Conflict of Interest	15
	9.4 Use of Council Resources	16
	9.5 Council's Planning Process	16
	9.6 Interacting with Children and Young People	16
	9.7 Elections	16
	9.8 Reporting Unethical Behaviour	17
10	IMPROPER CONDUCT	17
	10.1 Misuse of position	17
	10.2 Directing a member of Council staff	
	18 ¹⁷	
	10.3 Confidential information	18
11	DISPUTE RESOLUTION OPTIONS	20
	19	
	11.1 Self-resolution	
	20 ¹⁹	
	11.2 Mayoral negotiation	
	20 ¹⁹	
	11.2.1 Dispute between Councillors	
	20 ¹⁹	

11.2.2 Dispute between Councillor/s and the Mayor
2120

11.3 External mediation
2120

12 INTERNAL ARBITRATION PROCESS **23**
22

12.1 Making an Application
2322

12.2 Principal Councillor Conduct Registrar must examine application
2423

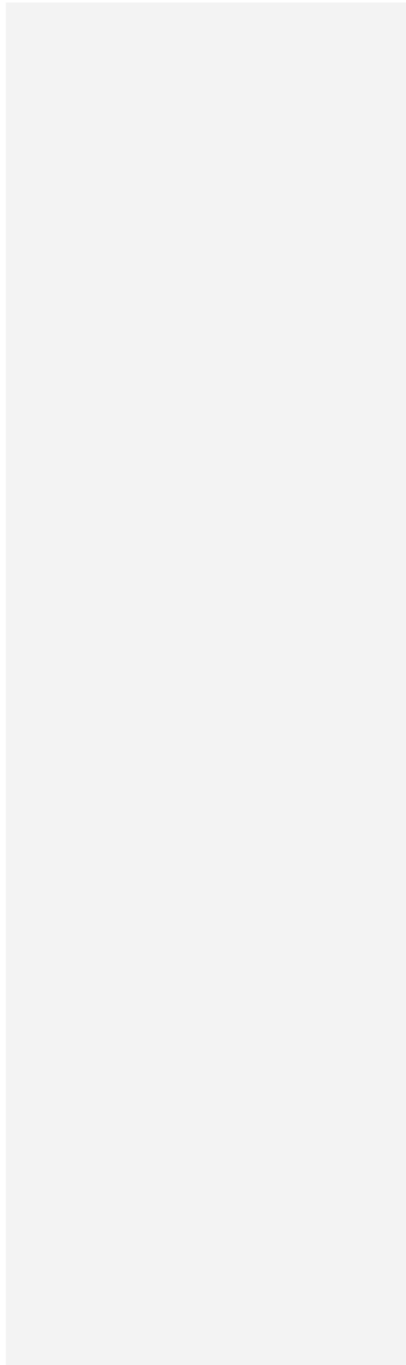
12.3 Arbiter must refer certain applications
2423

12.4 Sanctions that may be imposed by an arbiter on finding of misconduct
2423

12.5 No Applications during Election Period
2524

13 REQUEST FOR COUNCILLOR CONDUCT PANEL **26**
25

14 DECLARATION **29**
27



1 PURPOSE

The Councillor Code of Conduct (Code) sets out legal requirements under the Local Government Act 2020 (the Act) and minimum standards of conduct for councillors ~~in their role as of the~~ Loddon Shire ~~Councillors~~.

This Code endeavours to foster positive working relations between Councillors to enable them to work together in the best interests of the community, and mandates Councillor conduct designed to build public confidence in the integrity of local government.

In accordance with section 139(2) of the Act, the purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification.

2 BUDGET IMPLICATIONS

There are no direct budget implications arising from adoption of this Code.

3 RISK ANALYSIS

If this Code is followed, reputational and legal risks will be minimised.

4 INTRODUCTION

As custodians of the Loddon Shire Council (Council), Councillors hold a unique and important role within Victoria. They have been democratically elected to provide leadership for the good governance of the municipality and the local community as recognised in the **Local Government Act 2020 (the Act)**. This Act describes how the Council will be accountable in the performance of its functions, the exercise of expected standards of conduct and behaviour and the use of resources.

The community expects its Council to provide fair, accurate and unbiased advice, to act responsively and to manage assets efficiently. To assist in meeting these expectations **section 139 of the Act** requires councils to adopt a code of conduct to be observed by Councillors.

Accordingly, Council operates under two codes of conduct – one for Councillors and one for staff, volunteers and contractors. The two codes are clearly linked, with common principles, but they also distinguish the expectations of Councillors as elected representatives, from those of staff, volunteers and contractors who are engaged by the Council.

5 COMMITMENT

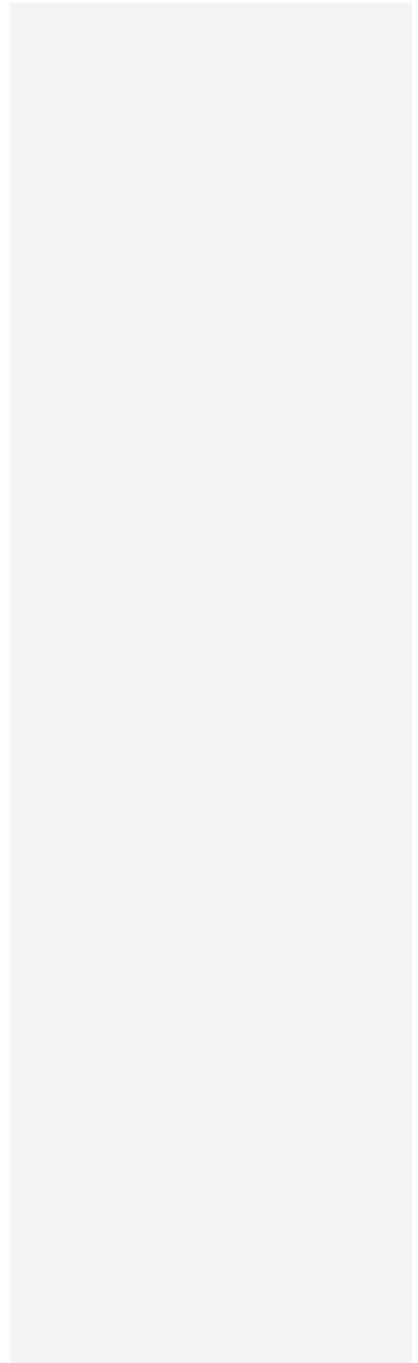
At Council, the elected Councillors are committed to work together in the best interests of the people within the Loddon Shire, to the highest standard of behaviour and to discharge their responsibilities to the best of their skill and judgement.

As part of this commitment, all Councillors will adhere to conduct principles, values and behaviours outlined in the Code. A commitment to working together constructively will enable the achievement of Loddon's vision in a manner that is consistent with the core values.

Councillors are committed to the Standards of Conduct outlined in this Code.

The Code sets out:

- Part 1. Councillor Charter;
- Part 2. Standards of Conduct; and
- Part 3. Dispute resolution processes.



Part 1 Councillor Charter

6 KEY ROLES AND RESPONSIBILITIES

6.1 Roles

An understanding and agreement of the different roles within Council helps achieve good governance. The key roles are outlined below.

Council comprises five Councillors who are democratically elected by the community, in accordance with the **Local Government Act 2020**.

The primary role of the Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Council must perform its role in accordance with the Overarching Governance Principles.

Section 9 of the Act: Overarching governance principles and supporting principles

- (1) A Council must in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles—
 - (a) Council decisions are to be made and actions taken in accordance with the relevant law;
 - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - (d) the municipal community is to be engaged in strategic planning and strategic decision making;
 - (e) innovation and continuous improvement is to be pursued;
 - (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
 - (g) the ongoing financial viability of the Council is to be ensured;
 - (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
 - (i) the transparency of Council decisions, actions and information is to be ensured.
- (3) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—
 - (a) the community engagement principles;
 - (b) the public transparency principles;
 - (c) the strategic planning principles;
 - (d) the financial management principles;
 - (e) the service performance principles.

6.2 Councillor / Organisation Relationship

The Council consists of democratically elected Councillors (the electoral arm) and the organisation/staff (the operational arm).

Good governance is dependent on how well the relationship between the electoral arm and the operational arm works, as well as mutual respect and understanding between Councillors and officers in relation to their respective roles, functions and responsibilities.

Councillors need to be aware of the requirements of section 124 of The Act and must not intentionally direct, or seek to direct, a member of Council staff in the exercise of their duties. This provision also applies in respect of officer reports presented to Council and on directing staff under delegation or as an Authorised Officer. It is important to note that section 124 applies to Councillors even when acting in a group outside formal Council or delegated committee meetings such as at Councillor Briefings (Assemblies of Councillors).

To achieve good governance, clear and effective communication protocols for Councillors and Council staff are essential. The following applies to Councillor/staff relationships:

- Councillors acknowledge that the CEO is responsible for all administrative and staff matters and that all staff are answerable to the CEO, therefore Councillors' primary point of communication should be with the CEO.
- Councillors will refrain from using their position to improperly influence members of staff in their duties or functions, or to gain an advantage for themselves or others.
- Councillors will treat staff in a professional and respectful manner at all times.
- Councillors will provide and maintain a working environment that is safe and without risks to health and take appropriate measures to eliminate discrimination, sexual harassment or victimisation so far as is reasonably practicable.
- Councillors seeking information on a specific matter should do so via the CEO or the relevant Director.
- Contact with Managers is appropriate where Councillors are seeking clarification or further specific information on a particular matter.
- Councillors are to lodge resident or Councillor requests with either Customer Service or the Executive and Commercial Services Officer for logging into the Customer Request Management (CRM) system
- Councillors will declare any relationship with a staff member that may be perceived to be a conflict of interest.

6.3 Role of a Councillor

A Councillor's role is to represent their community and advocate on their behalf. They are a valuable link between the community and Council and are key to facilitating communication with the community and encouraging engagement with the activities of Council.

There is an expectation that Councillors will make decisions that will benefit and be in the best long term interest of the whole community. Council has a statutory responsibility to represent all people who live, participate and invest within the municipality.

Councillors are responsible in establishing and maintaining the good governance of the Council.

Councillors determine Council policies and set the strategic direction of the Council. Councillors have a key advocacy and leadership role. Councillors appoint, manage and support the Chief Executive Officer of the organisation to deliver the strategic objectives of the Council. The CEO is responsible for management and administration. The organisation is responsible for the

implementation of Council policy and decisions, service delivery and providing professional advice to Councillors.

Councillors collectively as a Council, have responsibility for:

- a) determining high level strategic directions, policy and service delivery programs;
- b) facilitating and encouraging the planning and development of the Shire;
- c) advocating on behalf of the local community to various stakeholders and governments;
- d) representing all citizens and creating a viable and sustainable future; and
- e) undertaking duties and responsibilities as authorised under the Act.

Councillors should not be involved in the operational decisions of the organisation or its services and, in adherence with the Act will not misuse their position to direct staff.

The Mayor is the leader who is required to provide guidance to Councillors in establishing and promoting appropriate standards of conduct.

Councillor Commitment

As Councillors in good faith we undertake to comply with the various provisions of the Act and with this Code of Conduct.

We respect and recognise the role of the Mayor and will work co-operatively with the Mayor in the performance of their role.

Section 28 Role of a Councillor

- 1) The role of every Councillor is—
 - a) to participate in the decision making of the Council; and
 - b) to represent the interests of the municipal community in that decision making; and
 - c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.
- 2) In performing the role of a Councillor, a Councillor must—
 - a) consider the diversity of interests and needs of the municipal community; and
 - b) support the role of the Council; and
 - c) acknowledge and support the role of the Mayor; and
 - d) act lawfully and in accordance with the oath or affirmation of office; and
 - e) act in accordance with the standards of conduct; and
 - f) comply with Council procedures required for good governance.
- 3) The role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.

6.4 Role of the Mayor

The Mayor is the elected leader of the Council. A key role of the Mayor is to facilitate good relationships between Councillors, Councilors and the Chief Executive Officer and Executive Management Team. The Mayor sets the tone and style of behaviour, practice and projection of the Council working with, supporting and coordinating the team of Councillors.

The primary roles and responsibilities of the Mayor include: (section 18 LGA).

Section 18 Role of Mayor

1. The role of the Mayor is to—
 - a) chair Council meetings; and
 - b) be the principal spokesperson for the Council; and
 - c) lead engagement with the municipal community on the development of the Council Plan; and

- d) report to the municipal community, at least once each year, on the implementation of the Council Plan; and
- e) promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct; and
- f) assist Councillors to understand their role; and
- g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
- h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
- i) perform civic and ceremonial duties on behalf of the Council.

6.5 Role of the Deputy Mayor

Where a Deputy Mayor is appointed, the role of the Deputy Mayor is to give effective support to the Mayor and Councillors during the day-to-day function of Council.

The Deputy Mayor must undertake the role of the Mayor if:

- the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- the office of Mayor is vacant.

6.6 Role of the Chief Executive Officer

The Chief Executive Officer (CEO) has a number of statutory responsibilities and is accountable to the Mayor and Councillors for delivering Council's strategies and services. The CEO is responsible for the operations of the Council, to provide professional, relevant and timely information and support to the Council.

Section 46(1) of the Act states that the CEO is responsible for:

- a) supporting the Mayor and the Councillors in the performance of their roles; and
- b) ensuring the effective and efficient management of the day to day operations of the Council.

Section 46(2) goes on to say that this responsibility includes the following—

- ensuring that the decisions of the Council are implemented without undue delay;
- ensuring that the Council receives timely and reliable advice about its obligations under this Act or any other Act;
- supporting the Mayor in the performance of the Mayor's role as Mayor;
- setting the agenda for Council meetings after consulting the Mayor
- when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;
- carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Workplace Injury Rehabilitation and Compensation Act 2013.

Councillor Commitment

We undertake to respect the functions of the Chief Executive Officer and to comply with the policies, practices and protocols defining appropriate arrangements for interaction between Council staff and Councillors that are put in place by the Chief Executive Officer.

7 VALUES AND BEHAVIOURS

7.1 Values

~~As community and civic leaders,~~ Councillors commit to lead by example and promote the highest standard in the way Council business is conducted.

On 26 June 2018, adopted revised supporting statements for the Council values and in doing so endorsed the existing values.

VALUES
Loddon Shire is guided by the following values in everything it does.

We strive for:

- LEADERSHIP**
We work towards achieving our vision while demonstrating our values.
- RESPECT**
We treat everyone with respect and dignity at all times.
- INTEGRITY**
We are open, honest and fair.
- ACCOUNTABILITY**
We will be consistent and responsible in our actions.
- IMPARTIALITY**
We make decisions based on being informed without fear, favour or bias.

7.2 Behaviours

In workshops on 17 November and 17 December 2020, Councillors agreed on the following behaviours:

- We are curious and listen to others perspectives.
- We respectfully let others know our perspectives.
- We keep our conversations in the room.
- We own council decisions.
- We take the time to prepare for our meetings.
- We make our time available to one another.
- We are "present" in the situation.

Councillor Commitment

- We undertake to act in ~~accordance with agreed behaviours~~ **a manner that sets an example to our community of the values set out in 7.1 and in accordance with agreed behaviours set out in 7.2.**

Part 2 Councillor Conduct Standards

8 STANDARDS OF CONDUCT

The Act places obligations on Councillors in relation to way they should act. The Act also prohibits certain conduct by Councillors and prescribes penalties for Councillors who contravene these provisions.

The Councillor Conduct Framework is aimed at ensuring Councillors conduct themselves in accordance with standards expected. This includes the Values and Behaviours Councillors collectively set and outlined in *the Code*.

Section 139 of the Local Government Act 2020 requires a Councillor code of conduct to include the standards of conduct prescribed by the regulations expected to be observed by Councillors.

8.1 Standard 1: Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the Equal Opportunity Act 2010; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

Councillor Commitment

- We will respect and promote the human rights set out in the Charter of Human Rights and Responsibilities and undertake to understand how they apply to our work.
- We will contribute to ensuring that the workplace is an environment where people are treated fairly and with respect and are free from all forms of unlawful discrimination and inappropriate workplace behaviours, such as sexual harassment, victimisation, bullying, harassment and occupational violence.
- We will be fair, objective and respectful in our dealings with other Councillors, staff and the community.

8.2 Standard 2: Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

- (a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- (c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

Councillor Commitment

- We will perform our duties diligently, impartially and responsibly, acting in good faith and in the interest of Council and the community.
- We will refrain from any form of conduct which may cause a reasonable person unwarranted offence or embarrassment.
- We will show respect at all times when dealing with others, community, customers, other Councillors and staff at all levels. Any grievances or differences of opinion will be raised in an appropriate forum and in accordance with Council policies.

8.3 Standard 3: Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;
- (b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- (d) any directions of the Minister issued under section 175 of the Act.

Councillor Commitment

- We will act in accordance with the principles of good governance.
- We will impartially exercise responsibilities in the interests of the local community.
- We will not improperly seek to confer an advantage or disadvantage on any person.

8.4 Standard 4: Councillor must not discredit or mislead Council or public

- 1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.
- 2) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

Councillor Commitment

- We will act honestly and avoid actions or conduct that will or are likely to mislead or deceive a person.
- We will accept each individual's differences, values, culture and beliefs.
- We will always listen to the views and ideas of other people.

8.5 Standard 5: Standards do not limit robust political debate

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy.

Councillor Commitment

- We will contribute to and debate items with respect in the Council Chamber.
- We will accept the final Council decision.

8.6 Breach of standards 1 to 5

An allegation of breach of any of standards 1 to 5 will be managed pursuant to Part 4 of this Code.

Formatted: Heading 2

9 SPECIFIC COUNCILLOR CONDUCT OBLIGATIONS

9.1 Communication and Decision Making

As representatives of the community, Councillors have a primary responsibility to be responsive to community views and to adequately communicate the attitudes and decisions of Council.

There may be times when individual Councillors disagree with a majority decision of Council. Individual Councillors are entitled to express their own independent views; however, this should not be done in a way that reflects negatively on other individual Councillors or the Council as a whole.

Council will be open and transparent in its decision making and encourage community participation in Council Meetings.

To ensure constructive decision-making and communication of Council decisions, Councillors will:

- commit to making all decisions impartially and in the best interests of the community
- make fair and unbiased decisions by adhering to the principles of natural justice
- consider a person's interests which may be affected by a Council decision
- regularly attend meetings of Council, actively and openly participating in the decision-making process, striving to achieve the best outcome for the community
- seek approval of Council for leave of absence from council Meetings
- observe Council's [Media and social media Comment and Press release Guidelines policy](#)
- respect the views of the individual in debate, however, also accept that decisions are to be based on a majority vote
- not make allegations which are personally offensive, derogatory or defamatory
- treat all matters on individual merit and base decision making on facts.

Media and Social media

Councillors need to ensure that they follow the Media and Social Media Policy adopted by Council.

This policy ensures that communication between Council, the community and the media is managed appropriately, including:

- providing accurate, timely and consistent information
- that only authorised spokespeople provide information to the media or on social media on behalf of Council
- Council's integrity and professional image is preserved
- issues are handled in an appropriate manner.

9.2 Gifts, Benefits or Hospitality

Councillors should avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment. Councillors must be aware of their responsibilities relating to gifts, hospitality and benefits. The Councillor Gift Policy provides further guidance on gifts including prohibited gifts.

9.3 Conflict of Interest

Each Councillor is required to identify, manage and disclose any conflicts of interest they may have. Councillors therefore recognise the importance of fully observing the requirements of the Loddon Shire Council Governance Rules in regard to the disclosure of conflicts of interest and will comply with requirements of the Governance Rules in regard to conflicts of interest. Upon identifying a conflict of interest, Councillors will follow the procedures as set out in Governance Rules.

9.4 Use of Council Resources

At Loddon, Councillors recognise the need to exercise appropriate prudence in the use of Council resources and that they are used solely in the public interest. This includes:

- a) maintaining appropriate security over Council property, facilities and resources provided to assist them in performing their role; and adhering to any guidelines or policies that have been established for the use of Councillor resources and facilities
- b) not using public funds or resources in a manner that is improper or unauthorised;
- c) not using Council resources, including staff, equipment and/or intellectual property for electoral or other purposes;
- d) ensuring that all expense claims are accurate, are supported by the relevant documentation and strictly relate to Council business.

The Council Expenses Policy provides further guidance on the use of council resources.

9.5 Council's Planning Process

Councillors must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion or situation where there may be a suspicion or perception of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

In exercising land use planning, development assessment and other regulatory functions, Councillors must ensure that no action, statement or communication between themselves and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

When proposing to meet with a planning permit applicant, either for the purpose of discussing the application or where the application is likely to become a topic of discussion, Councillors should seek a meeting via the Manager Development and Compliance to ensure a Council planning officer is present.

9.6 Interacting with Children and Young People

Council prides itself on being a child safe organisation and has zero tolerance for child abuse. Council adheres to the Victorian Child Safe Standards and related legislation.

Councillors must be aware of their responsibilities outlined in Council's Child Safe Policy and be clear about processes for reporting and acting on concerns or reports of abuse or neglect of a child.

Councillors will respect, listen to and promote the rights of children and ensure behaviour and interactions with children are age appropriate, respectful and adhere to the behavioural expectations outlined in the Child Safe standards.

9.7 Elections

Councillors are committed to fair and democratic Council elections and therefore adopt and endorse the practices and legislative requirements set out in Council's Election Period Policy incorporated in the Loddon Governance Rules and the LGA respectively.

State and Federal Elections

Councillors are required to follow any guidelines issued in relation to Candidature of Councillors in State or Federal Elections. These include the Municipal Association of Victoria's Policy position regarding Candidature of Councillors in State or Federal Elections or Local Government

Page 16 of 29

Victoria guidelines.

9.8 Reporting Unethical Behaviour

Councillors commit to upholding and promoting the highest standards in their day-to-day interactions. Councillors should report, to the relevant authority or person, behaviour that violates any law, rule or regulation or represents corrupt conduct, mismanagement of Council resources, misuse of position or is a danger to health, safety or to the environment.

9.9 Disclosure of breach

In the event that a councillor becomes aware of a breach of the Code of Conduct by either themselves or another Councillor, they must immediately advise the CEO of the Loddon Shire Council. Where appropriate, the CEO will advise other Councillors within 24 hours and report the matter to the next Council meeting, advising of actions to be taken to address the breach.

9.10 Breach of obligations 9.1 to 9.8

An allegation of breach of any of obligations 9.1 to 9.8 will be managed pursuant to Part 4 of this Code.

10 IMPROPER CONDUCT

There are specific types of conduct that are expressly prohibited by the Act. Councillors acknowledge that, in many cases a breach of a specific provision in the Act may be subject to prosecution in a Court.

10.1 Misuse of position

Councillors acknowledge and agree to adhere to their responsibilities under **section 123** of the Act:

- 1) A person who is, or has been, a councillor or member of a delegated committee must not misuse their position –
 - a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
 - b) to cause, or attempt to cause, detriment to the Council or another person.

An offence against section 123(1) is an indictable offence.

- 2) For the purposes of this section circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a delegated committee include -
 - a) making improper use of information acquired as a result of the position the person held or holds; or
 - b) disclosing information that is confidential information; or
 - c) directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or
 - d) exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
 - e) using public funds or resources in a manner that is improper or unauthorised; or
 - f) participating in a decision on a matter in which the person has a conflict of interest.

This section:

- a) has effect in addition to, and not in derogation from, any Act or law relating to the criminal or civil liability of Councillors or members of delegated committees; and
- b) does not prevent the institution of any criminal or civil proceedings in respect of that

Page 17 of 29

Formatted: Heading 2, Space Before: 0 pt, After: 0 pt

liability.

10.2 Directing a member of Council staff

Councillors must not use their position to influence Council staff in the performance of their public or professional duties to obtain a private benefit for themselves or for somebody else.

Councillors must not take advantage (or seek to take advantage) of their status or position with or of functions they perform for Council in order to obtain a private benefit for themselves or for any other person or body.

Councillors acknowledge and agree to comply with their obligations in regard to improper direction and improper influence **section 124** of the Act.

Section 124 Directing a member of Council staff

A Councillor must not intentionally direct, or seek to direct, a member of Council staff:

- (a) in the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
- (b) in the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under this Act or any other Act; or
- (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or
- (d) in relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or delegated committee.

Penalty: 120 Penalty units

10.3 Confidential information

Councillors have access to council information necessary for them to carry out their roles properly. However, a Councillor must remain impartial and must not use council information to gain advantage for themselves or any other person. Information is 'confidential' for the purposes of the Act if it is:

- provided for a closed council or delegated committee meeting;
- designated confidential by resolution of a council or delegated committee; and
- designated confidential by the CEO

Information discussed at a closed meeting is confidential. Unless the information is already publicly available, Councillors must not talk about anything discussed at the meeting with people who were not present. (section 125 of the LGA).

10.4 Use of Council resource during an election

In the context of an election section 304 of the Act states that a Councillor...must not use Council resources in a way that—

- a) is intended to; or
- b) is likely to—

affect the result of an election under this Act.

Penalty: 60 penalty units.

(2) A Councillor...must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any

electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

Penalty: 60 penalty units.

Part 3 Dispute Resolution

11 DISPUTE RESOLUTION OPTIONS

Councillors have an individual and collective responsibility to try every avenue possible to resolve disputes in house and to prevent them escalating further.

This dispute resolution procedure is intended to be used:

1. when Councillors have been unable to resolve an interpersonal conflict and where the situation is unduly affecting the operation of the Council or
2. to manage complaints or concerns regarding the behaviour of Councillors from the public or Council staff, which are taken up by a Councillor or group of Councillors on behalf of the complainant.

It is not intended to resolve differences in policy or decision-making, which are appropriately resolved through discussion and voting in Council and Committee Meetings.

Where the dispute arises from a complaint generated by a member of the public or Council staff, access to the dispute resolution process under this Code is only possible where a Councillor or group of Councillors takes up the complaint about another Councillor on behalf of the complainant. In all other circumstances, refer to the Complaints against Councillors Policy.

Loddon Shire Council's grievance resolution procedure comprises three components, namely:

- 1) Self-resolution
- 2) Mayoral negotiation
- 3) External mediation

11.1 Self-resolution

Councillors must take personal responsibility and endeavour to resolve their differences in an informal, but at all times, courteous and respectful manner, recognising that they have been elected to represent the best interests of the community.

11.2 Mayoral negotiation

11.2.1 Dispute between Councillors

If the informal resolution process between the Councillors is unsuccessful, the Mayor should be involved as soon as practically possible to convene a meeting of the parties.

A dispute referred for Mayoral negotiation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct.

The party requesting the Mayoral negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the dispute in writing. The written request is to indicate that it is for a "Mayoral negotiation" dispute resolution process. Where the request relates to an alleged contravention of the Councillor Code of Conduct, the request must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;

- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the request is made by a group of Councillors; and
- be signed and dated by the requestor or the requestor's representative.

Within 5 working days of receipt of the complaint, the Mayor will:

- provide written acknowledgment of receipt of the complaint to the Complainant;
- provide a copy of the complaint to the Councillor concerned; and
- attempt to facilitate a resolution and convene a meeting.

The Mayor may call upon the Councillor Conduct Officer (CCO)¹ for advice and guidance at this point in the process.

The role of the Mayor at the meeting is to provide guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 28 of the Act, and the observation of the Councillor Standards of Conduct and the Councillor Code of Conduct.

The Mayor is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to external mediation.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the parties should progress to external mediation.

11.2.2 Dispute between Councillor/s and the Mayor

In the event that the dispute involves the Mayor, the Deputy Mayor or other Councillor nominated by Council resolution, will perform the role of the Mayor in facilitating discussions between the parties in dispute and liaising with the CCO.

11.3 External mediation

If reconciliation of the dispute is not possible after Mayoral negotiation, it is the responsibility of the Mayor to seek assistance from an external mediator to resolve the dispute, preferably with the active support of the parties to the dispute, who must be informed of such a decision in any circumstance.

A Councillor or a group of Councillors may make an application for a dispute to be referred for external mediation whether or not the dispute has been the subject of "self-resolution".

The applicant is to submit a written application to the CCO setting out the name of the Councillor and the details of the dispute. The application is to indicate that the application is for an "external mediation". Where the application relates to an alleged contravention of the Councillor Code of Conduct, the application must:

- specify the name of the Councillor alleged to have contravened the Code
- specify the provision(s) of the Code that is alleged to have been contravened
- include evidence in support of the allegation
- name the Councillor appointed to be their representative where the application is made by a group of Councillors and
- be signed and dated by the applicant or the applicant's representative.

¹ The appointed Councillor Conduct Officer is the Director Corporate Services.

The applicant is to notify the other party of the request and provide him or her with a copy of the application either at the same time that it is submitted to the CCO or as soon as practical thereafter.

The CCO is to ascertain (in writing) whether or not the other party is prepared to attend an "external mediation". If the other party declines to participate in an external mediation, he or she is to provide their reasons for doing so in writing to the Councillor Conduct Officer. These reasons may be taken into account if the matter is, subsequently, the subject of an application for a Councillor Conduct Panel.

If the other party declines to participate in an external mediation, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party agrees to participate in an external mediation, the CCO is to advise the applicant, the Mayor and Chief Executive Officer immediately.

The CCO is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the applicant has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

PART 4 BREACHES OF THE PRESCRIBED STANDARDS OF CONDUCT

12 INTERNAL ARBITRATION PROCESS

Section 141 – Internal Arbitration Process

- (1) The internal arbitration process applies to any breach of the prescribed standards of conduct.
- (2) The following applies to an internal arbitration process—
- a) any processes prescribed by the regulations, including any application process;
 - b) the arbiter must ensure that parties involved in internal arbitration process are given an opportunity to be heard by the arbiter;
 - c) the arbiter must ensure that a Councillor who is a party to an internal arbitration process does not have a right to representation unless the arbiter considers that representation is necessary to ensure that the process is conducted fairly;
 - d) any requirements prescribed by the regulation

12.1 Making an Application

An application for an internal arbitration process to make a finding of misconduct against a Councillor may be made by—

- the Council following a resolution of the Council; or
- a Councillor or a group of Councillors.

An application under section 143 of the Act must be made within 3 months of the alleged misconduct occurring.

An application under section 143 must be given to the Principal Councillor Conduct Registrar in the manner specified by the Principal Councillor Conduct Registrar in any guidelines published under section 149(1)(c).

The prescribed process for an application for internal arbitration must include:

- the name of the Councillor alleged to have breached the standards of conduct; and
- the clause of the standards of conduct that the Councillor is alleged to have breached; and
- the misconduct that the Councillor is alleged to have engaged in that resulted in the breach; and
- after receiving an application under section 143 of the Act, the Councillor Conduct Officer provides the application to the Councillor who is the subject of the application.

An arbiter appointed to hear a matter subject to an application must:

- a) conduct the hearing with as little formality and technicality as the proper consideration of the matter permits; and
- b) ensure that the hearing is not open to the public.

An arbiter—

- a) may hear each party to the matter in person or solely by written or electronic means of communication; and
- b) is not bound by the rules of evidence and may be informed in any manner the arbiter sees fit; and
- c) may at any time discontinue the hearing if the arbiter considers that
 - i) the application is vexatious, misconceived, frivolous or lacking in substance; or

- ii) the applicant has not responded, or has responded inadequately, to a request for further information.

12.2 Principal Councillor Conduct Registrar must examine application

- 1) The Principal Councillor Conduct Registrar, after examining an application under section 143, must appoint an arbiter to the Council to hear the matter if the Principal Councillor Conduct Registrar is satisfied that—
- 2)
 - a) the application is not frivolous, vexatious, misconceived or lacking in substance; and
 - b) there is sufficient evidence to support an allegation of a breach of the Councillor Code of Conduct as specified in the application.
- 3) The Principal Councillor Conduct Registrar must reject an application if the Principal Councillor Conduct Registrar is not satisfied under subsection (1)(a) or (b).
- 4) The rejection of an application by the Principal Councillor Conduct Registrar under this section does not prevent a further application being made under section 143 in respect of the same conduct by a Councillor that was the subject of the rejected application.
- 5) Information provided to an arbiter or produced by an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons, is confidential information.

12.3 Arbiter must refer certain applications

- 1) If, at any time before, during or after the hearing of an application for an internal arbitration process, the arbiter believes that the conduct that is the subject of the application for an internal arbitration process appears to involve serious misconduct and would more appropriately be dealt with as an application under section 154, the arbiter must refer the matter in writing to the Principal Councillor Conduct Registrar.
- 2) If the Principal Councillor Conduct Registrar receives a referral under subsection (1), the Principal Councillor Conduct Registrar must notify the parties to the application for an internal arbitration process that the matter has been referred by the arbiter.

12.4 Sanctions that may be imposed by an arbiter on finding of misconduct

- 1) If after completing the internal arbitration process, the arbiter determines that a Councillor has failed to comply with the prescribed standards of conduct, the arbiter may make a finding of misconduct against the Councillor.
- 2) If an arbiter has made a finding of misconduct against a Councillor, the arbiter may do any one or more of the following—
 - a) direct the Councillor to make an apology in a form or manner specified by the arbiter;
 - b) suspend the Councillor from the office of Councillor for a period specified by the arbiter not exceeding one month;
 - c) direct that the Councillor be removed from any position where the Councillor represents the Council for the period determined by the arbiter;
 - d) direct that the Councillor is removed from being the chair of a delegated committee for the period determined by the arbiter;
 - e) direct a Councillor to attend or undergo training or counselling specified by the arbiter.

- 3) The arbiter must provide a written copy of the arbiter's decision and statement of reasons to—
 - a) the Council; and
 - b) the applicant or applicants; and
 - c) the respondent; and
 - d) the Principal Councillor Conduct Registrar.
- 4) Subject to subsection (5), a copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting after the Council received the copy of the arbiter's decision and statement of reasons and recorded in the minutes of the meeting.
- 5) If the arbiter's decision and statement of reasons contains any confidential information, the confidential information must be redacted from the copy tabled under subsection (4).

12.5 No Applications during Election Period

An application cannot be made for an internal arbitration procedure during the election period for a general election. Any internal arbitration procedure that is in progress is to be suspended during the election period for a general election.

If the respondent to an application for an internal arbitration procedure is not returned to office as a Councillor in the election, the application lapses. If the respondent is returned to office in the election, the application may resume if:

- the application was made by the Council and the Council so resolves; or
- the application were made by a group of Councillors and any one (or more) of those Councillors who has been returned to office wishes to proceed with the application; or
- the applicant (individual Councillor) is returned to office and wishes to proceed with the application.

13 REQUEST FOR COUNCILLOR CONDUCT PANEL

A Councillor Conduct Panel may hear an application that alleges serious misconduct by a Councillor.

Section 3 of the Act defines serious misconduct as:

- a) the failure by a Councillor to comply with the Council's internal arbitration process;
- b) the failure by a Councillor to comply with a direction given to the Councillor by an arbiter under section 147;
- c) the failure of a Councillor to attend a Councillor Conduct Panel hearing in respect of that Councillor;
- d) the failure of a Councillor to comply with a direction of a Councillor Conduct Panel;
- e) continued or repeated misconduct by a Councillor after a finding of misconduct has already been made in respect of the Councillor by an arbiter or by a Councillor Conduct Panel under section 167(1)(b);
- f) bullying by a Councillor of another Councillor or a member of Council staff;
- g) conduct by a Councillor that is conduct of the type that is sexual harassment of a Councillor or a member of Council staff;
- h) the disclosure by a Councillor of information the Councillor knows, or should reasonably know, is confidential information;
- i) conduct by a Councillor that contravenes the requirement that a Councillor must not direct, or seek to direct, a member of Council staff
- a)) the failure by a Councillor to disclose a conflict of interest and to exclude themselves from the decision making process when required to do so in accordance with this Act;

The Principal Councillor Conduct Registrar² manages the establishment of Councillor Conduct Panels.

All applications (supported with evidence) to establish a panel to hear allegations of misconduct or serious misconduct must go to the registrar. The panel must be established if the registrar is satisfied that the application is not frivolous or misconceived or lacking in substance, is supported by evidence and council processes have been fully exhausted or are not appropriate.

Section 154 Application to Councillor Conduct Panel

- 1) A Councillor Conduct Panel may hear an application that alleges serious misconduct by a Councillor.
- 2) Subject to subsection (4), an application for a Councillor Conduct Panel to make a finding of serious misconduct against a Councillor may be made by—
 - a) the Council following a resolution of the Council to make an application to a Councillor Conduct Panel under this subsection in respect of a Councillor's conduct; or
 - b) a Councillor or a group of Councillors; or
 - c) the Chief Municipal Inspector.
- 3) An application under subsection (2) must be made within 12 months of the alleged serious misconduct occurring.
- 4) An application for a Councillor Conduct Panel to make a finding of serious misconduct against a Councillor that alleges that the Councillor has failed to disclose a conflict of interest may only be made by the Chief Municipal Inspector.
- 5) An application made under this section must be given to the Principal Councillor Conduct Registrar in the manner specified by the Principal Councillor Conduct Registrar in any guidelines published under section 149(1)(n).
- 6) An application made under this section must—
 - a) specify the ground or grounds for the application; and
 - b) set out—

² The registrar is appointed by the Secretary to the Department

- (i) the circumstances, actions or inactions of the Councillor who is the subject of the application that are alleged as constituting serious misconduct; and
 - (ii) the particulars of any evidence of those circumstances, actions or inactions of the Councillor that are alleged as constituting the serious misconduct; and
- c) specify—
 - (i) any steps taken by Council to resolve the matter that is the subject of the application and the reason why the matter was not resolved by the taking of those steps; or
 - (ii) if the Council did not take any steps to resolve the matter that is the subject of the application, the reason why the Council did not take any steps to resolve the matter.
- 7) If an application is made under this section by the Council or a group of Councillors, the application must state the name and address of the Councillor whom the Council or the group of Councillors has appointed as representative of the Council or the group of Councillors.

APPENDIX 1 ADDITIONAL CONDUCT PROVISIONS

Further to the above statutory requirements, Councillors will obey the law, relevant regulations, policies and procedures including the following:

- a) **Equal Opportunity Act 2010** - refrain from discriminating, harassing or bullying other people and using offensive language in their capacity as a Councillor.
- b) **The Charter of Human Rights and Responsibilities 2006** - act compatibly, give proper consideration and take human rights into account when making decisions
- c) **Occupational Health and Safety Act 2004** - have regard to the principles of health and safety. Councillors have the status of employees under the OH&S Act and should ensure that they contribute to a healthy and safe workplace. Councillors should be particularly mindful of this in their interactions with Council Officers.
- d) **Privacy & Data Protection Act 2014** - recognise the requirements of the regarding access, use and release of personal information which also applies to Councillors as individuals and the **Loddon Privacy Policy**
- e) **Governance Rules** (incorporating Election period Policy) - act in accordance with guidelines for the election of the Mayor, the role of the Mayor, the procedures governing the conduct of Council Meetings and set the rules of behaviour for those participating in or present at Council Meetings, provides for Conflict of Interest declaration processes and conduct during an election period.
- f) **Council Expense Policy** - act in accordance with administrative procedures for reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor or delegated committee member.
- g) **Councillor Gift Policy** - act in accordance with clear guidelines to ensure that Councillors, staff and contractors are not compromised in the performance of their duties by accepting gifts or benefits which may result in a sense of obligation or could be interpreted as an attempt to influence.
- h) **Records Management Policy** - act in accordance with the regulatory recordkeeping requirements under the *Public Records Act 1973*. Information created by Councillors, whilst acting in an official capacity as a Councillor, must be kept as a record and registered into the record keeping system.

COUNCIL ADOPTION

This Code of Conduct was adopted at the Council Meeting of the Loddon Shire Council held on [insert date]

All Councillors made a written declaration witnessed by the CEO that they have read the Councillor Code of Conduct and declared to abide by the Code at all times.

14 DECLARATION

I hereby declare that I have read the Councillor Code of Conduct for Loddon Shire Council adopted on [insert date] and declare that I will abide by this Code.

Signed:

Cr Neil Beattie	Date.../.../2021
Cr Wendy Murphy	Date.../.../2021
Cr Dan Straub	Date.../.../2021
Cr Gavan Holt	Date.../.../2021
Cr Linda Jungwirth	Date.../.../2021

Witness: Chief Executive Officer

Phil Pinyon	Date.../.../2021
-------------------	------------------

10.10 PROPOSED CORPORATE CREDIT AND FUEL CARD POLICY VERSION 5 FOR ADOPTION

File Number: FOL/19/101

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Proposed Corporate Credit and Fuel Card Policy version 5

RECOMMENDATION

That Council adopt the Corporate Credit and Fuel Card Policy version 5

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

This matter was discussed at the February 2021 Councillor forum.

BACKGROUND

The Corporate Credit and Fuel Card Policy has previously applied only to staff. This revision expands the scope to Councillors.

ISSUES/DISCUSSION

The Mayor is seeking a credit card for expenses relating to the role of Mayor such as conference fees, related accommodation and meals expenses, and other allowable expenditure.

In addition to changes to the policy, there will also be an update to delegations to enable the Manager Financial Services to issue a credit card to the Mayor with a limit (\$3k) and to identify who will approve the transactions (CEO and Director Corporate Services).

COST/BENEFITS

There will be minor administration fees associated with the card, which are charged by NAB on all cards. The benefit of the Mayor having a credit card is more efficient recording of expenses.

RISK ANALYSIS

The risks associated with issuing a card are addressed in the policy.

CONSULTATION AND ENGAGEMENT

Relevant staff have been consulted in amending this policy.



CORPORATE CREDIT AND FUEL CARD POLICY

DOCUMENT TYPE:	Organisational policy
DOCUMENT STATUS:	ApprovedDraft
POLICY OWNER POSITION:	Manager Financial Services
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Management Executive GroupCouncil
DATE ADOPTED:	2/10/2019
VERSION NUMBER:	45
REVIEW DATE:	2/10/2023
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Financial Management Policy Business Continuity Plan Procurement Policy Instrument of Delegation Corporate Credit Card Procedure Compliant Contractor Guidelines
RELATED LEGISLATION:	Local Government Act 1989 Australian Tax Office Goods and Services Tax (GST)
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: K:\FINANCE\Policies\Adopted\POL Corporate Credit and Fuel Cards v4.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



CORPORATE CREDIT AND FUEL CARD POLICY

1 PURPOSE

This policy is to manage risks associated with the issue and use of Council corporate credit cards and the issue and use of corporate fuel cards.

2 SCOPE

This policy applies to staff who have been authorised within the Levels of Authority Delegations to be a holder of a Council corporate credit card or corporate fuel card.

3 POLICY

A Council issued corporate credit card should be used:

- for minor purchases under \$300 where credit card processing facilities are available
- for any online purchases where there is a secure credit card portal and Council does not hold a commercial account
- when it is a purchase for the supply of services which would otherwise be tier 1 supplier or goods with a supplier that is likely not to be used for future purchases and does not warrant the provider to be added to the Compliant Suppliers Database.

A Council issued corporate fuel card should be used for all possible fuel purchases for the vehicle/plant item for which the card is issued.

Responsibility for the appropriate use of a corporate credit or fuel card rests with the individual cardholder. Responsible use of the corporate cards means that the card is used solely for Council business and is the most appropriate method for purchasing the goods or services in certain circumstances. Any exceptions to this are to be pre-approved by a direct supervisor, [or the Director Corporate Services for the Mayor.](#)

3.1 Limitations on usage

A corporate credit or fuel card is not to be used for:

- cash advances in any form
- personal use. Accidental personal use is to be reported immediately and repaid within ten working days.

A corporate credit card should not be used for the purchase of fuel, except in cases of necessity. All reasonable attempts should be first made to use the fuel card provided with each Council vehicle to purchase fuel.

A corporate credit card is not to be used for the purchase of uniform items, except for certain items of personal protective equipment such as work boots. The purchase of these items must be pre-approved by [Organisational Development](#) [the relevant department](#).

All purchases must adhere to Council's Procurement Policy.

3.2 Usage

Credit cards and fuel cards are provided as a supplement to Council's normal purchasing system. Regular monitoring of card usage will be undertaken by the Finance Department and reports can be prepared on request.



CORPORATE CREDIT AND FUEL CARD POLICY

3.3 Authorisation

Approval of the Chief Executive Officer is required to authorise the issue of a credit card to a staff member [and or Mayor](#) and determine the transaction limit. The transaction limit for each cardholder cannot exceed the [staff member's financial](#)~~their financial~~ delegation limit.

The authorising officer for all card statements must be supervisor level or higher in accordance with approved delegations. An authorising officer is responsible for the authorisation of credit card transactions within five working days of coding by the card holder.

The authorising officer for the Chief Executive Officer for statements is the Director Corporate Services along with a review by the Mayor.

[The authorising officer for the Mayor for statements is the Director Corporate Services along with a review by the Chief Executive Officer.](#)

Fuel cards are issued by the ~~Technical Services Officer~~[Procurement Team—Operations](#) and are assigned to each fleet and plant item. They are restricted to only the fuel type of the plant item / vehicle. Council has a combined monthly limit on fuel accounts. [Council will also keep on hand a number of spare cards for use in any hire vehicles.](#)

3.4 Cardholder responsibilities

All cardholders are individually responsible for the security and use of their credit and fuel card in compliance with this policy and associated procedure. Cardholders may be held responsible for payment for any purchase that does not have satisfactory documentation to enable their supervisor to authorise the transaction.

Responsibilities of the cardholder are to:

- ensure transaction details include a correct ledger number
- ensure all transactions have a receipt that complies with the Australian Tax Office (ATO) guidelines
- complete the coding of transactions within five working days of transaction by the cardholder.

There are consequences for staff members who fail to meet the above responsibilities, particularly where this is repeated. These consequences may include the immediate suspension of the cardholder's account until such time as the purchases are acquitted and authorised.

Cardholders must not ask for, nor accept, cash refunds where purchases were made with a corporate card. All refunds must be made back to the credit or fuel card. Where a refund is required from a supplier it is the responsibility of the cardholder to obtain such credit.

Responsibility for the delivery of all goods or services purchased by a credit or fuel card rests solely with the cardholder.

The cardholder must ensure payments are not duplicated. This may happen if a purchase has been made using a credit or fuel card and then again through the creditors system when the tax invoice for the transaction is received.

Credit card Personal Identification Numbers (PIN) can be reset by contacting either the Manager Financial Services or visiting a branch of the issuing bank.



CORPORATE CREDIT AND FUEL CARD POLICY

Fuel card PIN are pre-set when the card is issued, and the number will remain the same to ensure consistency for staff who use multiple vehicles.

Passwords for the FlexiPurchase online system can be reset by contacting the Manager Financial Services.

When a cardholder leaves Council, the authorising officer must return the corporate credit card to the Manager Financial Services for cancellation. The fuel card is to remain with the appropriate vehicle.

If a credit card is lost the staff member must immediately notify the Manager Financial Services and call the issuing bank and cancel. A request for new card will be placed with the banking provider.

If a fuel card has been lost the staff member must immediately contact the [Technical Services Officer—Operations-Procurement Team](#) who will cancel the card and request a replacement.

3.5 Special provisions

Circumstances sometimes arise that require Council to invoke its Business Continuity Plan. Examples of such circumstances include, but are not limited to, flood, fire or earthquake. In these instances Council officers need to offer responsive support to the community and special provisions will apply.

In order to assist officers in an emergency management situation, the Chief Executive Officer has the discretion to increase cardholders' credit limits should this be considered necessary. Finance staff will increase the credit limit on individual cardholders within the limits of Council's overall facility limit and the cardholder's financial delegation via the online FlexiPurchase portal.

4 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
Authorising Officer	CEO, directors, and managers and supervisors who authorise the credit card transactions. An Authorising Officer must be at Manager level or higher
Cardholder	Any officer of Council authorised to have a credit card issued in their name
Corporate Credit Card	A credit card personalised and issued to the user named on the card, using the facility limit of Council
Corporate Fuel Card	A fuel card personalised and issued to each vehicle or plant item named on the card, using the facility limit of Council
Personal use / personal transactions	Any purchase intended for personal benefit. Purchase of any items not normally required by a staff member in the course of their employment with Council
Tier 1 supplier	As defined in the Compliant Contractor Guidelines

5 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and



CORPORATE CREDIT AND FUEL CARD POLICY

Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

6 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

10.11 REQUEST TO ACCESS FUNDS HELD IN THE LITTLE LAKE BOORT WATER RESERVE

File Number: FOL/20/51
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council allocate up to \$10,000 from the Little Lake Boort Water Reserve to provide for beaching works adjacent to the location of the Little Lake Boort Footpath extension.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

There has been no previous discussion with Council in relation to the content of this report.

BACKGROUND

The Little Lake Boort Footpath project is nearing commencement and will see the construction of a 600m (approximate) granitic footpath at least 1.5m wide alongside Little Lake Boort foreshore linking Federation Walk to Lake View Street, south of the Boort Water Treatment Plant. The project also includes some landscape works and installation of bollards to improve pedestrian safety.

ISSUES/DISCUSSION

The location of the footpath extension between the croquet club and lake foreshore has presented an opportunity to complete some planned, but delayed beaching work by extending the project to complete beaching of the lake foreshore in the vicinity of the footpath installation.

These works will assist in the future protection of the works being completed, and allow formal landscaping to be completed to enhance the entire area. Due to the extent of the bank undercut in this area, there is some concern that any equipment brought in to undertake the footpath works may further damage this site. This work is in addition to what was originally in the project scope for the footpath installation.

The Little Lake Boort Committee of Management normally undertake beaching works on the lake foreshore. The works for this area, planned by the Committee for March/April 2020, were delayed due to the water levels in the lake at that time. The footpath project presents the opportunity for these works to be completed as part of the overall project delivery, with a contribution of up to \$10,000 from the Little Lake Boort Water Reserve to offset the additional cost. The final cost is still to be determined, as there is continuing work to determine if a more cost effective design would meet the required standard.

COST/BENEFITS

As at 30 June 2020, the Little Lake Boort Water Reserve had a balance of \$24,069 with no movements to date for 2020/21. The Financial Reserves Policy provides for transfers from the Little Lake Boort Water Reserve for 'amounts required to purchase water rights or for other expenditures relating to Little Lake Boort'.

RISK ANALYSIS

If the beaching works were not undertaken at this time, the project could still proceed, but there is a risk of future destabilising of works completed on the footpath or additional damage to the water's edge by machinery used to undertake the footpath installation. This work is planned for future completion by the Little Lake Boort Committee of Management, which if completed independently of this project may result in some duplication of works or damage to the installed path as beaching works are completed. The installation of beaching works by Council as a component of this project ensures that the standard of the works will support the ongoing landscape development in this area.

CONSULTATION AND ENGAGEMENT

Discussions on the completion of these works and accessing funds from the Little Lake Boort Water Reserve have been held with Cr Beattie.

10.12 DONALDSON PARK COMMUNITY HUB REDEVELOPMENT FUNDING APPLICATION

File Number: FOL/20/1047
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council resolve to support an application to the Community Sports Infrastructure Stimulus Program, ratifying Council's endorsement of the project and confirming the resources required to commence construction within six (6) months of signing the funding agreement are available.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

An update of the project's progression to date was provided to the February 2021 Council Forum.

BACKGROUND

Donaldson Park Community Hub Redevelopment Project is a Council priority infrastructure project as outlined in the current Council Plan. Funding for delivery of stage one of the Donaldson Park redevelopment was confirmed in 2020 with Council continuing to seek other funding opportunities that would allow for the simultaneous delivery of both stages 1 and 2. Council submitted an application to the first round of the Victorian Government's Community Sports Infrastructure Stimulus Program (CSISP) in late 2020. This application was unsuccessful.

ISSUES/DISCUSSION

A second round of CSISP funding has been released by the Victorian Government, for which Council is eligible to apply, with applications closing on 2 March 2021. There are a number of components that must be provided/undertaken to ensure the application is eligible for consideration including a Council resolution confirming that the project is supported and ready to proceed to construction within six (6) months of approval and the financial and staffing resources required to deliver the total project are available within the required timeframes. It is expected that announcements of successful funding applications will be made from May 2021 onwards.

COST/BENEFITS

The simultaneous delivery of stages 1 and 2 of the project will enhance the amenity of the facility provided to the community, and will reduce the duplication of effort that would occur if the stages were delivered as two discreet projects.

The benefits to the community were demonstrated in the feasibility study that was completed a number of years ago as the catalyst to commence planning for this project.

Council has \$3.6M funding secured for stage 1 and will not be required to make any additional co-contribution to support the CSISP application.

RISK ANALYSIS

The risk associated with the content of this report is that should the application be unsuccessful and the development of the plans to deliver the two stages simultaneously cannot proceed, a re-set of stage one delivery and the expectations of what can be delivered will be required.

The tight deadlines for delivery of a major project such as this will require dedicated attention to allow progress; this may have some impact on the delivery timeframes for other projects not yet commenced or in the planning stages.

CONSULTATION AND ENGAGEMENT

Council has worked closely with Donaldson Park user group representatives to progress the project.

11 INFORMATION REPORTS**11.1 QUARTERLY LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT**

File Number: FOL19/115192
Author: David Price, Local Laws \ Planning Compliance Officer
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: Nil

RECOMMENDATION

That Council receive and note the quarterly local laws and planning compliance activity report.

CONFLICT OF INTEREST

There is no conflict of interest for any council staff writing the report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

This is the second report for the 2020-2021 financial year, summarising the local law and planning compliance and enforcement actions taken within the Development and Compliance Department. It provides Council with a high level summary for the purpose of monitoring performance within this area.

BACKGROUND

Council is responsible for a range of advisory, compliance and enforcement services to the community and maintains powers under various legislation and Council local laws to enable effective animal management, planning enforcement, local law compliance and fire prevention for community and township amenity.

A number of organisational policies and procedures have been developed, outlining the methodology and circumstances under which Council officers will undertake compliance action. Key areas of focus in respect to compliance action include:

- management of local laws, particularly with respect to unsightly properties
- effective animal management
- assessment of properties for potential fire risk/fire prevention measures
- control of roadside activities, occupation and utilisation
- investigate planning scheme breaches and enforce planning permit conditions
- intervention in public nuisance issues.

ISSUES/DISCUSSIONAdministrative and fire prevention

Table 1 provides a summary of administrative and fire prevention actions undertaken.

Table 1: Administrative and fire prevention activities

Quarter 2 (1 October 2020 – 31 December 2020)				
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Fire prevention notices (^)	Local law permits issued

No. actions	3	4	387	14
--------------------	---	---	-----	----

(*) Council provides a 24 hour emergency call out service in respect to animal management or local law compliance and enforcement.

(^) Figures are provided by the OHS/Risk Management and Fire Prevention Officer.

Unightly properties

A summary of activity statistics and locations that are the subject of compliance with local laws relating to unsightly properties is provided in Table 2. Identified unsightly properties are assessed and prioritised for compliance action.

Table 2: Summary of unsightly properties activities

Quarter 2 (1 October 2020 – 31 December 2020)																
Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural/Other	Total
No. identified from previous report period	3	0	3	2	6	8	13	11	3	2	3	1	0	0	2	57
No. resolved during quarter	0	0	0	0	2	7	0	4	0	0	2	1	0	0	1	17
New action commenced	0	0	1	0	0	1	2	0	0	0	1	2	0	0	0	7
No. currently pursuing	3	0	4	2	4	2	15	7	3	2	2	2	0	0	1	47
Progress Activities																
Site meeting / discussion held	2	0	0	2	4	9	7	6	1	1	4	3	0	0	1	40
Letter to comply issued	1	0	0	0	3	3	3	1	3	2	1	0	0	0	0	17
Occupier has commenced clean-up work	2	0	0	1	4	9	7	6	1	1	4	1	0	0	1	37
Notice to comply issued	1	0	0	0	3	3	3	1	3	2	1	0	0	0	0	17
Contractor engaged for clean-up work	0	0	0	0	1	0	1	0	2	1	0	0	0	0	0	5

In September 2020 Council engaged an additional Local Laws Officer funded through the State Government of Victoria's Working for Victoria initiative. This has allowed us to appoint an officer with a sole focus on unsightly properties. This position is funded for six months in line with the Working for Victoria arrangements.

Whilst some compliance activities have been impacted by the COVID-19 situation, local laws staff will continue to liaise with community members in resolving unsightly property issues where possible.

Achieving resolution of unsightly property issues can be difficult, with many property owners committing to attend to the issue and in some cases starting the process of cleaning up only to relapse. This requires an approach of escalation of interventions until compliance is reached. Many of these issues involve longstanding patterns of behaviour that will require continual intervention and time to establish significant change in individual's behaviour in order for lasting compliance to be reached.

Animal management

Table 3 provides a high level summary of animal management activities.

Table 3: Summary of animal management activities

Quarter 2 (1 October 2020 – 31 December 2020)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	10	2	1	13	13	123

Table 4 summarises animal management activities that resulted in impoundments, encompassing both domestic animals and livestock.

Table 4: Impoundment activities

Quarter 2 (1 October 2020 – 31 December 2020)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	-	-	-	0
Dogs	3	2	1	0
Cats	-	-	-	0
Feral Animals	-	-	-	29
Total	3	2	1	29

Planning Compliance and Enforcement

Table 5 provides a summary of planning compliance and enforcement activities undertaken.

Table 5: Planning compliance and enforcement activities

Quarter 2 (1 October 2020 – 31 December 2020)					
Type	No. identified from previous report period	New action commenced	PIN's issued	No. resolved during this quarter	No. currently pursuing resolution
Land use in contravention of planning scheme without a permit	7	2	0	3	6

Native vegetation removal without a permit	11	2	0	6	7
Breach of planning permit	3	1	0	2	2
Dog breeding / animal keeping	2	1	0	1	2
Land used as a store without planning permit	3	0	0	2	1
Occupation of a shed without a planning permit	7	0	0	1	6
Total	33	6	0	15	24

Throughout all of the above compliance activities tabled, the Development and Compliance Department aims to work proactively with property and animal owners to achieve a positive outcome within the legislative framework set by the State Government and Council Local Laws.

COST/BENEFITS

The expenditure for the second quarter of 2020-2021 financial year for the local laws and compliance activities contained within this report is \$86,293. As the identified properties are escalated through the compliance process, costs associated with legal proceedings may also be incurred by Council.

The resulting cost to Council can be significant in terms of officer(s) time; particularly undertaking various site inspections across Loddon Shire. Direct monetary costs can be significant should a matter progress to the Victorian Civil and Administrative Tribunal (VCAT) or the Magistrates Court. Therefore, it is of benefit to Council and the community that the Development and Compliance Department work through these matters in a timely and respectful manner to reach an appropriate outcome wherever possible.

Benefits derived from investing in local law and planning compliance activities include:

- improving and maintaining township amenity
- ensuring that appropriate development occurs
- maintaining and improving public safety
- encouraging good domestic animal and livestock management
- reduced bushfire risks.

RISK ANALYSIS

Failure of Council to adequately manage the provisions associated with the Loddon Planning Scheme, Planning and Environment Act 1987 or other applicable legislation including the Domestic Animals Act 1994, Impounding of Livestock Act 1994, Country Fire Authority Act 1958 or Council Local Laws is considered to pose the following risks:

- barrier to development and associated economic growth within Loddon Shire
- inappropriate development
- Council's reputation as a regulatory authority
- public safety that endangers life and property
- adverse amenity of our townships
- increased bushfire hazards.

CONSULTATION AND ENGAGEMENT

Land and animal owners subject to compliance and enforcement actions under the abovementioned legislation and local laws are consulted with at each stage of the process.

11.2 QUARTERLY REPORT: ANNUAL INFRASTRUCTURE PROGRAM 2020-2021 AND OTHER PROJECTS

File Number: 14/01/001
Author: Adam Cooper, Project Management Coordinator
Authoriser: David Southcombe, Manager Assets and Infrastructure
Attachments: 1. Annual Infrastructure Program 2020-2021
2. Other Projects

RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2020-2021 and Other Projects as at the end of December 2020.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

This report is for the second quarter of 2020-2021 financial year, providing an update on the progress of the Annual Infrastructure Program. The statuses of other projects that are delivered by the Assets & Infrastructure Department but are not part of the Annual Infrastructure Program are also included in the report.

BACKGROUND

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and other projects that the Assets & Infrastructure Department is responsible for delivering. The information in this report covers progress up until the end of December 2020.

ISSUES/DISCUSSION

Annual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the Second quarter of the 2020-2021 financial year. There are 122 individual projects listed including 28 carryovers from previous financial years.

Other Projects

In addition to the Annual Infrastructure Program, the Assets & Infrastructure Department is responsible to oversee the delivery of a number of different projects. Attachment 2 provides a summary of the other projects at the end of second quarter of 2020-2021 financial year. All completed projects are removed from subsequent quarterly progress reports.

COST/BENEFITS

The total proposed expenditure for the 2020-2021 financial year for the Annual Infrastructure Program is \$8,633,509 as reported in the July 2020 Council report. The expenditure for the second quarter is \$1,145,298.87 and \$2,578,353.87 for the year to date.

Attachment 1 gives a summary of progress of individual projects within this program as at 31 December 2020.

ORDINARY COUNCIL MEETING AGENDA

The Assets & Infrastructure Department is currently managing other significant projects covered in Attachment 2 which are in different stages of progress. The combined value of such projects is in excess of \$4.07 million. Expenditure to date is on these projects is \$364,856.36.

RISK ANALYSIS

There are a number of risks associated with the delivery of the Annual Infrastructure Program and other significant projects. The following is a list of some but not all of the associated risks:

- delivering within timeframe and budget
- meeting community expectations
- delivering projects in accordance with engineering standards
- compliance with procurement legislation.

Council officers are committed to monitoring and managing the risks associated with the Annual Infrastructure Program and other significant projects to ensure that any issues are minimised.

CONSULTATION AND ENGAGEMENT

The information provided in this report is presented after consultation with the Manager Assets and Infrastructure and the Works Department.

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
Local Road Resheet	LRS0817	Mincha North Rd	Resheet 1.1km x 4.6m x 100mm	\$ 24,353.00	100%	Complete
	LRS1011	Erwins Road	Resheet 1.50km x 4.6m x 100mm	\$ 33,561.00	100%	Complete
	LRS1152	Barraport East Rd	Resheet 1.2km x 4.7m x 100mm	\$ 44,123.00	100%	Complete
	LRS1160	Thomas Rd	Resheet 1.1km x 4.6m x 100mm			Quarter 2
	LRS1171	Raywood Durham Ox Rd	Resheet 2.6km x 4.6m x 100mm	\$ 60,145.00	100%	Complete
	LRS1177	Leeds Rd	Resheet 2.46km x 4.6m x 100mm	\$ 22,105.00	100%	Complete
	LRS1185	Twiggs La	Resheet 0.43km x 4.5m x 100mm	\$ 12,698.00	100%	Complete
	LRS1189	Coonoor-Gower Road	Resheet 1.3 km x 4.7m x 100mm	\$ 30,157.00	100%	Complete
	LRS1194	Berrimal-Nine Mile Road	Resheet 1.1 km x 4.7m x 100 mm	\$ 36,247.00	100%	Complete
	LRS1195	Gowar Logan Rd	Resheet 1.0 km x 4.7 m x 100 mm	\$ 26,335.00	100%	Complete
	LRS1196	Gowar Berrimal Rd	Resheet 0.8 kms x 4.7 m x 100 mm	\$ 25,782.00	100%	Complete
	LRS1197	Gowar Logan Rd	Resheet 2.9 km x 4.7 m x 100 mm	\$ 67,380.00	100%	Complete
	LRS1211	Nixons Rd	Resheet 1.0 km x 4.7m x 100 mm	\$ 17,813.00	100%	Complete
	LRS1212	Northlands Rd	Resheet 1.8 km x 4.7m x 100mm	\$ 42,937.00	100%	Complete
	LRS1227	Lagoona Rd	Provide all weather access to GMW pump station	\$ 50,384.00	100%	Complete
LRS1228	Wet Lane, Walker Lane & Wattle Drive	Resheet 4.7 km x 4.7m x 100 mm			Quarter 2	
Local Road Shoulder Sheet	LRSS0347	Korong Vale Kinypanial Rd	Shoulder resheet 1.1km x 1.8m x 100mm x 2 sides	\$ 27,156.00	100%	Complete
	LRSS0350A	Dingee Rochester Rd	Shoulder resheet and seal 1.58km x 1.5m x 100mm x 2 sides			Quarter 2
Local Road Construction Asset Preservation	LRC0484	Echuca Serpentine Rd	Rehabilitation and widening of existing pavement and seal	\$ 448,423.00	100%	Complete
	LRC0485	Echuca Serpentine Rd	Rehabilitation and widening of existing pavement and seal	\$ 409,521.00	100%	Complete
	LRC0486	Bridgewater Raywood Rd	Rehabilitation and widening of existing pavement and seal			Quarter 3
	LRC0496	Laanecoorie-Newbridge Rd	Rehabilitation and widening of existing pavement and seal			Quarter 3
	LRC0507	Dalziels Road and Perry Rd	Reconstruction and Sealing of 1.6km of Dalziels Rd and Perr Rd			Quarter 3

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
Local Road Construction - Amenity	AMN 033	S/R Avenue of Honour, Pyramid Hill	Sealing of local township road beside residential property to reduce dust			Quarter 2
	AMN 034	McGillvray St, Pyramid Hill	Sealing of local township road beside residential property to reduce dust	\$ 8,603.00	100%	Complete
	AMN 035	Bramley St, Pyramid Hill	Sealing of local township road beside residential property to reduce dust	\$ 8,603.00	100%	Complete
	AMN 036	Gregory St, Pyramid Hill	Sealing of local township road from end of existing seal to driveway of no 24	\$ 8,603.00	100%	Complete
	AMN 037	Lane b/h E of High St, Wedderburn	Sealing of local township road			Tendered - Award in December
Safety	SAF0034	Yorkshire Road Bridge Guardrail Upgrade	Approach guardrail is too low and existing terminals are non complainant making this a safety issue	\$ 22,010.00	100%	Completed in January

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
Township St Improvement	TSI0386	Lakeview St Boort	Kerb and Channel King St to Weaver St (West Side)			Tendered - Awarded in December
	TSI0400	Andrews St Boort	160m Kerb & Channel			Tendered - Awarded in December
	TSI0412	Barber Street Pyramid Hill	Construct new footpath on Eastern side of Barber Street.			Tendered - Awarded in December
	TSI0438	Lyon St. Newbridge	Construct new concrete footpath from edge of existing bitumen path outside hotel heading West to Nelson St			Tendered - Awarded in December
	TSI0456	Sullivan St Inglewood	230m x 1.5m footpath on one side			Tendered - Awarded in December
	TSI0460	Godfrey Street Pedestrian Bridge	Install footbridge / Boardwalk over Nardoo Creek			Project being rescoped
	TSI0495	Southey St Inglewood	130m x 1.5m footpath on west side			Tendered - Awarded in December
	TSI0496	Belmont St Inglewood	230m x 1.5m footpath on one side			Tendered - Awarded in December
	TSI0498	Belmont St Inglewood	330m x 1.5m footpath on one side			Tendered - Awarded in December
	TSI0499	Armstrong St Boort	180m x 1.5m footpath on one side			Tendered - Awarded in December
	TSI0500	Armstrong St Boort	145m x 1.5m footpath on one side			Tendered - Awarded in December
	TSI0501	McMillans Rd	170m x 1.5m footpath West Side			Tendered - Awarded in December
	TSI0502	Nelson St	210m x 1.5m footpath East side			Tendered - Awarded in December
			Kiniry St Boort	Carry Over - Footpath, new kerb and channel, underground drainage		100%
		High Street Wedderburn	Carry Over - Footpath, kerb and channel, underground drainage. Café to Police station			Tendered - Awarded in December 2020

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
Local Bridges and Culverts	LBCC0260	Arnold West Inglewood Rd	Install RC apron d/s side			Quarter 3
	LBCC0262	Woolshed Flat Rd	Install 450mm dia RCP x 12.2m x 2 Wing walls.			Quarter 1
	LBCC0278	Gredgwin East Rd	Replace existing 300mm RCP			Quarter 2/3
	LBCC0296	Jarklin West Rd (SN086)	Concrete Patching, Deck Sealing & Beaching			Quarter 2/3
	LBCC0297	Jarklin West Rd (SN086)	Guard Rail			Quarter 3
	LBCC0365	Main St, Laanecoorie	Replace existing culvert with 375mm dia RCP with endwalls on both sides		100%	Complete
	LBCC0370	Pickles Rd	Replace box culvert			Quarter 2/3
	LBCC0371	Barraport West Rd	Replace existing culvert with a larger			Quarter 2/3
	LBCC0372	Barraport West Rd	Existing 375mm culvert needs replacing with a larger culvert			Quarter 2/3
	LBCC0379	Baileys Rd Bridge (SN0164)	Replace bridge			Tender close 2/2/21
	LBCC0385	Aitkens Rd Bridge Replacement (SN92)	Replace with Stone floodway replacement and 2 reinforced box culverts 5m width and length improvements.	\$ 75,600.00	100%	Complete
	LBCC0395	Prairie West Road Culvert Replacement	Culvert Replacement			Tender closed January 2021
	LBCC0411	Miles Rd at the Intersection with Jarklin - Yarrowalla Rd Calivil	Culvert Replacement			Quarter 2/3
	LBCC0421	Godfrey St Bridge	Replace culvert and upgrade			Quarter 3/4
			Pyramid Hill culvert replacements	Carry over - Replace culverts at Kelly st and Coliban Access entrance		20%
		Sloans Rd Bridge	Carry Over - Bridge replacement and upgrade	\$ 439,062.00	100%	Complete - October 2020
Reseals	20/38 Projects	Multiple	Spray Seal Contract - 20 sites - 38 segments - 157,548m2			Awarded at Janaury 2021 Council meeting

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
Urban Drainage	TSD0144	Victoria Street Pyramid Hill	Installation of pit and pipe to remove pooling water in front of swimming pool	\$ 18,260.17	100%	Complete
	TSD0148	Arnold Rd Bridgewater	Existing pipe is damaged			Tendered in February 2021
	TSD0149	Inglewood Tennis Club Building Drainage	Upgrade drainage	\$ 17,886.70	100%	Complete
	TSD0172	Canning Street Culvert Replacement	Replacement of damaged culvert	\$ 3,917.00	100%	Complete
	TSD0173	Skidders Flat Safety Manual and Site Investigation	Develop a safety manual and engage consultant to inspect reservoir and recommend safety upgrades			Quarter 3/4
	TSD0174	Heales St Drainage	Improve drainage in Heales St			Commence January 2021
		Old Inglewood Reservoir	Carry Over - Safety upgrades	\$ 536,061.00	95%	Final sign offs being completed.
Parks and Gardens	PGC025	Public Place Bin Renewal and Street Furniture Upgrade	Complete rollout of replacement public place bins			Quarter 4
	PGC028	Boort Park Playground Footpath	Footpath installation			Quarter 3/4
	PGC029	The Hill Reserve Works	Car Park, walk track entry, picnic ground. Retaining wall, furniture renewal, public place bin surround, tree assessment and uplift, and planting out native shrubs.			Quarter 3/4
	PGC031	Korong Vale Recreation Reserve Old Toilet Removal	Remove decomisioned brick toilet block south of the bowling green			Quarter 1
	PGC032	Progress Park Newbridge Upgrade	Install a BBQ and shelter			Quarter 4
	PGC034	Township Tree Identification Project	Tree identification of all street trees within Council township boundaries, parks and open spaces. An audit of tree species on nature strips by township			Quarter 2/3
	PGC035	Boort Sprinkler Replacement	Replacement of sprinkler system			Quarter 3/4

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
	BLD047	Inglewood Botanic Gardens	Septic tank and field replacement			Quarter 3
	BLD048	Inglewood Town Hall	Install deck in atrium			Quarter 3
	BLD052	Pyramid Hill Memorial Hall	Damp course replacement			Quarter 4
	BLD060	Building Emergency Works Allocation	Allowance for emergency works			Quarter 1-4
	BLD066	Korong Vale Mechanics Institute Hall	Replace whole outer building fasard including but not limited to Roof, Weatherboards, Windows, Doors, and Fascia. Also maybe significant water rot in frame and restumping in parts.			Quarter 4
	BLD067	Allocation for updating Building floor plans	Providing new floor plan drawings for nominated list of buildings		20%	Quarter 2
	BLD068	Building Compliance audits & minor rectification works	Undertake 12 x buildings aduits (1 per month) & minor rectification works		20%	Quarter 1-4
	BLD069	Serpentine Public Toilets	New septic field (rest stop toilets)			Quarter 2
	BLD072	Boort Court House	Paint exterior and drainage paving of Boort Courthouse building			Quarter 2
	BLD073	Boort Tennis Club	Replace guttering		100%	Complete
	BLD078	Boort Memorial Hall	Foundation restumping			Quarter 4
	BLD079	Boort Croquet Club	Water supply from pool upgrade			Quarter 4
	BLD081	Inglewood Rec Reserve Clubroom	Repaint exterior		100%	Quarter 2
	BLD085	Wedderburn Senior Citizens	Remove partial wall left of front			Quarter 3
	BLD086	Yando public hall	Replace distribution board			Quarter 1
	BLD087	Yando public hall	Paint exterior, windows and fascias		100%	Complete
	BLD088	Tarnagulla Public Toilets	Replace waste water system			Quarter 4
	BLD090	Pyramid Hill Preschool	Replace split system		100%	Complete
	BLD091	Jacka Park Bandstand	Finish refurbishment works		100%	Quarter 2
	BLD092	Eddington Public Toilets	Replace floor tiles and cubicle doors			Quarter 3
	BLD093	Tarnagulla Public Toilets	Install floor tiles and replace cubicle doors			Quarter 4
	BLD094	Boort Court House public toilets	Revinyl floor			Quarter 4

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
Buildings	BLD095	Wedderburn depot lunch room	Replace air con		100%	Quarter 2
		Wedderburn Community Centre Roof Leaks	Carry Over		20%	Commenced
		Eddington Public Hall - New Septic System	Carry Over - Septic Tank and field replacement	\$ 2,657		
		Bridgewater Caravan Park	Carry Over - Termite protection of rear toilets and camp kitchen	\$ 4,202	100%	Complete
		Asbestos removals	Asbestos audits	\$ 49,646		Ongoing
		Wedderburn Mechanics Institute	Carry Over - Replace roof on wings	\$ 1,576	100%	
		Bridgewater Recreation Reserve	Carry Over - Tank installation	\$ 2,547	100%	Complete
		Wedderburn Office	Carry Over - Evacuation safety alert system			
		Boort Public Carpark	Carry Over - Install dump point		100%	
		Boort James Boyle Hall	Carry Over - Replace guttering		100%	Complete
		Tarnagulla Golf Club	Carry Over - Replace septic field and new pump well		100%	
		Wedderburn Harness Racing	Carry Over - Termite treatment of tote building		100%	Complete
		Wedderburn Office/Seniors	Carry Over - Convert Seniors hall into meeting room			
		Serpentine Office	Carry Over - Install new additional flagpole		20%	
		Boort Memorial Hall, Boort Pool & Boort Seniors	Carry Over - Replace asbestos clad switchboards		20%	Quarter 4
		Korong Vale Public Toilets - pipe upgrade	Carry Over - Upgrade sewer pipes			Quarter 4
		Tarnagulla Public Toilets	Carry Over - Rebuild septic field			Quarter 4
		Serpentine EPU pathsd at front entrance	Carry Over - Replace concrete path		100%	Quarter 4
	Pyramid Hill Memorial Hall Damp Course	Carry Over - Reproof damp course. Repair damaged brickwork.			Quarter 4	

Attachment 1: Annual Infrastructure Program 2020 - 2021

Category	Project No.	Project Name	Project Details	Expenditure	% Activity	Comments
		Boort - Soil pushed against Building	Carry Over - Remove dirt, reproof damp course, repair foundations.			Quarter 4
		Boort - Waterline from pool/croquet club	Carry Over - Possible reroute or sleeve			Quarter 4
		Tarnagulla Toilet Refurbishment	Carry Over - Redo cubicles (Possible grant to replace toilets)			Quarter 4
		Korong Vale Sports Centre	Carry Over - Remove abandoned toilet block		100%	Complete
		Inglewood Town Hall Water contamination	Carry Over - New irrigation system, match new water supply.		100%	Complete
		East Loddon Community Centre - Paint exterior	Carry Over - Paint exterior			Quarter 4

Attachment 2: Other Projects 2019 - 2020

Project no.	Project Description	Expenditure	Responsible Officer	Activity %	Comments
1	Boort Levee	\$ 138,345.00	PMC, PO	25	Council continuing negotiations with Dja Dja Wurrung.
2	Pyramid Hill Drainage Strategy and Drainage data capture	\$ 26,730.00	PMC, PO	55	Draft strategy completed. Multi-year approach. To be included in flood consultation.
3	Township, Locality and Boundary sign replacements 2020-2021	\$ 19,126.00	PMC, PO	15	2020-21 replacements complete
4	Asbestos Audit and Removal 2020-2021	\$ -	BMO	0	Annual cost for 3 year contract
5	Public Facilities and office cleaning (contract)	\$ -	BMO	NA	Under contract
6	Wedderburn township entrance sign	\$ -	MAI	15	Foundations installed.
7	Our Regions, Our Rivers (Caravan Parks)	\$ 171,425.36	PMC, PO, MEC	25	Works commenced
8	Pyramid Hill Flood Mitigation Works		PMC, PO	10	Community consultation to commence with Drainage Strategy consultation.
9	Truck Wash Rd - Pyramid Hill	\$ 7,800.00	PMC, PO	100	Complete
10	Little Lake Boort walking track	\$ 1,430.00	PMC, PO, MCS	20	Finalising tender acceptance
11	Bridgewater Female Friendly Changerooms		PMC, PO, MCS	5	Design finalised, Tendered in December/February
12	Pedestrian crossing Coutts Street Boort		PO, MAI	10	Finalising design

Responsible Officer

PMC	Project Management Coordinator
PO	Project Officer/Engineer
MAI	Manager Assets and Infrastructure
BMO	Building Maintenance Officer
MEC	Manager Executive and Commercial
MCS	Manager Community Support

11.3 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT

File Number: 14/01/022
Author: Daniel Lloyd, Manager Works
Authoriser: Steven Phillips, Director Operations
Attachments: Nil

Recommendation

That Council receive and note the Road Management Plan Defect Rectification Compliance Report.

CONFLICT OF INTEREST

There is no conflict of interest for any council staff member involved in writing this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

This is the second report for the 2020 - 2021 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

This report is produced quarterly and provides statistical data with respect to the Organisation's performance in managing the road network. Performance is measured through a comparison of actual defect rectification timeframes against requirements specified in the RMP.

ISSUES/DISCUSSION

Table 1 below provides a summary of the compliance against the schedule of road and street inspection regimes as set in the RMP.

Table 1: Inspection summary report

Quarter 2 (01/10/2020 – 31/12/2020)						
Work Group	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Plains	130	130	0	0	100.0%	571
Loddon Goldfields	132	132	0	0	100.0%	596
Total	262	262	0	0	100.0%	1167

During the second quarter of 2020 – 2021 financial year, 100.0% of the programmed inspections were completed according to the schedule.

Table 2 below provides a summary of compliance of actual response times for rectification works of defects as detailed in the defect intervention levels and response timetables of the RMP.

Table 2: Defect rectification summary report

Quarter 2 (01/10/2020 – 31/12/2020)								
Work Group	Number of Defects				Compliant with RMP			
	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	25	40	477	542	540	2	0	99.6%
Loddon Plains	82	7	433	522	522	0	0	100.0%
Shire Wide	48	9	347	404	402	2	0	99.5%
Townscape Services	15	4	31	50	47	3	0	94.0%
Total	170	60	1288	1518	1511	7	0	99.5%

Table 2 comprises a summary of defects that have been identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the second quarter of 2020 – 2021 financial year, 99.5% of all date imposed defects were completed before their due date. This is 0.5% below the target of 100% set in the RMP. All defects have now been rectified.

Table 3 provides a summary of performance against the unsealed road maintenance grading program, defects as identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP.

Table 3: Maintenance grading program

Quarter 2 (01/10/2020 – 31/12/2020)										
Work Group	Number of Grading Work Actions					Compliant with scheduled timeframes				Programmed Localities
	Roads Inspected	Roads Graded	Defects	Requests	Total	Yes	No	Not completed	%	
Loddon Goldfields	266	111	1	10	388	387	1	0	99.7%	25
Loddon Plains	397	99	1	5	502	500	2	0	99.6%	19
Shire Wide	0	0	2	0	2	2	0	0	100.0%	0
Total	663	210	4	15	892	889	3	0	99.7%	44

The data in Table 3 indicates that 892 grading work actions were completed for the second quarter of 2020 – 2021 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

A graph has been provided in Chart 1 indicating a breakdown of the grading work actions, by road hierarchy and kilometres. The sealed roads section relates to shoulder grading work actions on the Sealed Road network. The gravel road section includes all grading work actions on Gravel Collector and Gravel Access roads. The Gravel Minor and the Formed Road sections relate directly to Council's road hierarchy and show all grading work action on roads within that hierarchy.

Chart 1: Maintenance Grading Program



COST/BENEFITS

The year to date actual expenditure to the end of second quarter of 2020 – 2021 financial year of the Local Road Maintenance Program is \$2,543,658. The expenditure for the second quarter was \$1,117,889

The benefits to the community in complying with the RMP are that it ensures a safe road network.

RISK ANALYSIS

Repairing 100% of all date imposed defects before their due date limits Council’s liability for any claims for damage made against Council.

CONSULTATION AND ENGAGEMENT

No internal or external consultation is required in the formation of this report.

12 COMPLIANCE REPORTS**12.1 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - EAST LODDON COMMUNITY CENTRE**

File Number: FOL/20/7158
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the East Loddon Community Centre Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for East Loddon Community Centre Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

East Loddon Community Centre is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Linden Barry	Chair
Margaret Gledhill	Deputy Chair / Booking officer
Nick Marlow	Secretary/ Treasurer
Suzie Jacobs	President
Alison Barry	Committee Member
Alison McKenzie	Committee Member
Darryl Chappel	Committee Member
Heather Atkinson	Committee Member
Helen O'Donoghue	Committee Member
June Dorman	Committee Member
Lachlan Berry	Committee Member
Margaret Smith	Committee Member
Marshall Jacobs	Committee Member
Pam Plant	Committee Member
Rod Biggs	Committee Member

This committee appoints a Chair and a President to assist with distributing the workload of the committee. The committee will need to identify the duties of each position to ensure strong governance.

The Council representative for this committee is Cr Dan Straub.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

**12.2 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
WEDDERBURN MECHANICS AND LITERARY INSTITUTE HALL**

File Number: FOL/20/7146
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Mechanics and Literary Institute Hall Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Wedderburn Mechanics and Literary Institute Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Jon Chandler	Chair
Geoff Maxwell	Deputy Chair
Dede Williams	Secretary
Julie Ritchie	Booking Officer
Peter Zubov	Treasurer
Barry Bolwell	Committee Member
Barry Finch	Committee Member
Leo Matthews	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.3 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - HARD HILL TOURIST RESERVE

File Number: FOL/20/7157
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Hard Hill Tourist Reserve Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members. There is no conflict of interest for any Council staff member involved in the preparation of this report.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Hard Hill Tourist Reserve Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Hard Hill Tourist Reserve is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Robyn Vella	Chair
Murray Smythe	Deputy Chair
Jude Raftis	Secretary / Booking officer
Karen Fazzani	Treasurer
Greg Canfield	Committee Member
Warren Smith	Committee Member
Robbie Collins	Committee Member
Cheryl Bailey	Committee Member
Trevor Bailey	Committee Member
Ric Raftis	Committee Member
Brett Jackson	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.4 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - PYRAMID HILL MEMORIAL HALL

File Number: FOL/20/7150
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Pyramid Hill Memorial Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Pyramid Hill Memorial Hall Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Pyramid Hill Memorial Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Ron Peacock	Chair
Andrew Scott	Deputy Chair
Jean Mann	Secretary
Kate Wood	Treasurer
Raelene Fletcher	Booking officer
Allan Mann	Committee Member
Betty Mann	Committee Member
Bill Quinn	Committee Member
Cheryl McKinnon	Committee Member
Jan Vincent	Committee Member
Kellie Stewart	Committee Member
Lisa Schilling	Committee Member
Sherrie Gumley	Committee Member

The Council representative for this committee is Cr Dan Straub.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

**12.5 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
INGLEWOOD COMMUNITY SPORTS CENTRE**

File Number: FOL/20/7155
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Inglewood Community Sports Centre Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Inglewood Community Sports Centre Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Inglewood Community Sports Centre is an organisation based committee with representatives from each of the stakeholder groups. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Organisation
Andrew Nevins (Secretary/Treasurer)	Community member
Gordon McNaughton	Community member
Les Miller	Community member
Shane Maxwell	Community member
Taj Rodwell	Community member
	Inglewood Cricket Club
Tony Noonan (Booking officer)	Inglewood Cricket Club
Bel Hawken	Inglewood Football / Netball Club
Chris Cohalan	Inglewood Football / Netball Club
Leigh Lamprell (Deputy chair)	Inglewood Football / Netball Club
Nat Rodwell	Inglewood Football / Netball Club
Alan Last (Chair)	Inglewood Lawn Tennis Club
Helen Canfield	Inglewood Lawn Tennis Club

The Council representative for this committee is Cr Wendy Murphy.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

**12.6 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
INGLEWOOD TOWN HALL HUB**

File Number: FOL/20/7165
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the additional persons named in this report as members of the Inglewood Town Hall Hub Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Inglewood Town Hall Hub Community Asset Committee on 27 January 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Inglewood Town Hall Hub is a community based committee with preferred representation requiring at least 6 community representatives. The following is an additional nominated representative for the committee, in addition to the appointments made at the January 2021 meeting:

Name	Position
Colleen Condliffe	Committee Member

The Council representative for this committee is Cr Wendy Murphy.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.7 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - LITTLE LAKE BOORT

File Number: FOL/20/7151
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Little Lake Boort Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Little Lake Boort Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Little Lake Boort is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Neil Beattie	Chair
Doug Aldrich	Deputy Chair
Barry Kennedy	Secretary
Ray Stomann	Treasurer
Barry Barnes	Committee Member
Dean Cosgriffe	Committee Member
Guy Contarino	Committee Member
John Nelson	Committee Member
Justin Kennedy	Committee Member
Kevin Sutton	Committee Member
Lance Slatter	Committee Member
Luke Stomann	Committee Member
Murray Chalmers	Committee Member
Paul Haw	Committee Member
Rod Stringer	Committee Member
Tim James	Committee Member
Wendy James	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.8 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - JONES EUCALYPTUS DISTILLERY SITE

File Number: FOL/20/7154
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the additional person named in this report as a member of the Jones Eucalyptus Distillery Site Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

That Council appoints the persons named in this report as members of the Jones Eucalyptus Distillery Site Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Jones Eucalyptus Distillery Site Community Asset Committee on 27 January 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Jones Eucalyptus Distillery Site is a community based committee with preferred representation requiring at least 6 community representatives. The following is an additional nominated representative for the committee, in addition to the appointments made at the January 2021 meeting:

Name	Position
Colleen Condliffe	Committee Member

The Council representative for this committee is Cr Wendy Murphy.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

13 GENERAL BUSINESS

14 CONFIDENTIAL ITEMS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(1) and 66(2)(a) of the Local Government Act 2020:

14.1 REVIEW OF CONFIDENTIAL ACTIONS

This matter is considered to be confidential under Section 3(1)(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may disclose confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

14.2 Proposal for sale of Council property, 12 - 14 Allen Street Korong Vale

This matter is considered to be confidential under Section 3(1)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council, as various negotiations remain pending.

14.3 Contract 491 - Baileys Road Bridge Replacement

This matter is considered to be confidential under Section 3(1)(a) and (g(ii)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to Section 66 (5)(b) of the Local Government Act 2020, If released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council and/or disadvantage a private business, as various negotiations remain pending.

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 23 March 2021 at 3pm.

There being no further business the meeting was closed at [enter time](#).

Confirmed this.....day of..... 2021

.....